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POLITICAL
TRACTS.

CONTAINING,

THE FALSE ALARM.
FALKLAND'S ISLANDS.
THE PATRIOT; and,
TAXATION NO TYRANNY.

Fallitur, egregio quisquis sub principe credit
Servitium, nunquam Libertas gravior extat
Quam sub Rege pio.

CLAUDIUS.

L O N D O N :

Printed for W. STRAHAN; and T. CADELL in the Strand.

M D C C L X X V I.

1781A 32.1A 3

Now in consequence of the wish
on the part of the Widow, to
have the place, and that between 80
in the year 1770. A Road or Street
ought to be made, and with arguments
enough to the author's last style of
writing.

THE

FALSE ALARM.

Stack
Annex

[1770.]

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T H E

F A L S E A L A R M.

ONE of the chief advantages derived by the present generation from the improvement and diffusion of Philosophy, is deliverance from unnecessary terrours, and exemption from false alarms. The unusual appearances, whether regular or accidental, which once spread consternation over ages of ignorance, are now the recreations of inquisitive security. The sun is no more lamented when it is eclipsed, than when it sets; and meteors play their coruscations without prognostick or prediction.

THE advancement of political knowledge may be expected to produce in time the like effects. Causeless discontent and seditious violence will grow less frequent, and less formidable, as the science of Government is better ascertained by a diligent study of the theory of Man.

It is not indeed to be expected, that physical and political truth should meet with equal acceptance, or gain ground upon the world with equal facility. The notions of the naturalist find mankind in a state of neutrality, or at worst have nothing to encounter but prejudice and vanity; prejudice without malignity, and vanity without interest. But the politician's improvements are opposed by every passion that can exclude conviction or suppress it; by ambition, by avarice, by hope, and by terror, by public faction, and private animosity.

It is evident, whatever be the cause, that this nation, with all its renown for speculation and for learning, has yet made little proficiency in civil wisdom. We are still so much unacquainted with our own state, and so unskilful in the pursuit of happiness, that we shudder without danger, complain without grievances, and suffer our quiet to be disturbed, and our commerce to be interrupted, by an opposition to the government, raised only by interest, and supported only by clamour, which yet has so far prevailed upon ignorance and timidity, that many favour it as reasonable, and many dread it as powerful.

WHAT is urged by those who have been so industrious to spread suspicion, and incite fury from one end of the kingdom to the other, may be known by perusing the papers which have been at once pre-

sented as petitions to the King, and exhibited in print as remonstrances to the people. It may therefore not be improper to lay before the Public the reflections of a man who cannot favour the opposition, for he thinks it wicked, and cannot fear it, for he thinks it weak.

THE grievance which has produced all this tempest of outrage, the oppression in which all other oppressions are included, the invasion which has left us no property, the alarm that suffers no patriot to sleep in quiet, is comprised in a vote of the House of Commons, by which the freeholders of Middlesex are deprived of a Briton's birth-right, representation in parliament.

THEY have indeed received the usual writ of election, but that writ, alas! was malicious mockery; they were insulted
with

with the form, but denied the reality, for there was one man excepted from their choice.

*Non de vi, neque cæde, nec veneno,
Sed lis est mihi de tribus capellis.*

THE character of the man thus fatally excepted, I have no purpose to delineate. Lampoon itself would disdain to speak ill of him of whom no man speaks well. It is sufficient that he is expelled the House of Commons, and confined in jail as being legally convicted of sedition and impiety.

THAT this man cannot be appointed one of the guardians and counsellors of the church and state, is a grievance not to be endured. Every lover of liberty stands doubtful of the fate of posterity, because the chief county in England cannot take its representative from a jail.

WHENCE Middlesex should obtain the right of being denominated the chief county, cannot easily be discovered; it is indeed the county where the chief city happens to stand, but how that city treated the favourite of Middlesex, is not yet forgotten. The county, as distinguished from the city, has no claim to particular consideration.

THAT a man was in jail for sedition and impiety, would, I believe, have been within memory a sufficient reason why he should not come out of jail a legislator. This reason, notwithstanding the mutability of fashion, happens still to operate on the House of Commons. Their notions, however strange, may be justified by a common observation, that few are mended by imprisonment, and that he, whose crimes have made confinement necessary, seldom makes any other use of his enlargement,

ment, than to do with greater cunning what he did before with less.

BUT the people have been told with great confidence, that the House cannot control the right of constituting representatives; that he who can persuade lawful electors to chuse him, whatever be his character, is lawfully chosen, and has a claim to a seat in Parliament, from which no human authority can depose him.

HERE, however, the patrons of opposition are in some perplexity. They are forced to confess, that by a train of precedents sufficient to establish a custom of Parliament, the House of Commons has jurisdiction over its own members; that the whole has power over individuals; and that this power has been exercised sometimes in imprisonment, and often in expulsion.

THAT such power should reside in the House of Commons in some cases, is inevitably necessary, since it is required by every polity, that where there is a possibility of offence, there should be a possibility of punishment. A member of the House cannot be cited for his conduct in Parliament before any other court; and therefore, if the House cannot punish him, he may attack with impunity the rights of the people, and the title of the King.

THIS exemption from the authority of other courts was, I think, first established in favour of the five members in the long parliament. It is not to be considered as an usurpation, for it is implied in the principles of government. If legislative powers are not co-ordinate, they cease in part to be legislative; and if they be co-ordinate, they are unaccountable; for to whom must that power account, which has no superiour?

THE House of Commons is indeed dissoluble by the King, as the nation has of late been very clamorously told; but while it subsists it is co-ordinate with the other powers, and this co-ordination ceases only when the House by dissolution ceases to subsist.

As the particular representatives of the people are in their public character above the control of the courts of law, they must be subject to the jurisdiction of the House, and as the House, in the exercise of its authority, can be neither directed nor restrained, its own resolutions must be its laws, at least, if there is no antecedent decision of the whole legislature.

THIS privilege, not confirmed by any written law or positive compact, but by the resistless power of political necessity, they have exercised, probably from their first institution, but certainly, as their records

cords inform us, from the 23d of Elizabeth, when they expelled a member for derogating from their privileges.

It may perhaps be doubted, whether it was originally necessary, that this right of control and punishment, should extend beyond offences in the exercise of parliamentary duty, since all other crimes are cognizable by other courts. But they, who are the only judges of their own rights, have exerted the power of expulsion on other occasions, and when wickedness arrived at a certain magnitude, have considered an offence against society as an offence against the House.

THEY have therefore divested notorious delinquents of their legislative character, and delivered them up to shame or punishment, naked and unprotected, that they might not contaminate the dignity of Parliament,

IT

THE FALSE ALARM. 11

It is allowed that a man attainted of felony cannot sit in Parliament, and the Commons probably judged, that not being bound to the forms of law, they might treat these as felons, whose crimes were in their opinion equivalent to felony; and that as a known felon could not be chosen, a man so like a felon, that he could not easily be distinguished, ought to be expelled.

THE first laws had no law to enforce them, the first authority was constituted by itself. The power exercised by the House of Commons is of this kind, a power rooted in the principles of government, and branched out by occasional practice; a power which necessity made just, and precedents have made legal.

It will occur that authority thus uncontrollable may, in times of heat and contest, be oppressively and injuriously exerted,
and

and that he who suffers injustice, is without redress, however innocent, however miserable.

THE position is true but the argument is useless. The Commons must be controlled, or be exempt from control. If they are exempt they may do injury which cannot be redressed, if they are controlled they are no longer legislative.

If the possibility of abuse be an argument against authority, no authority ever can be established; if the actual abuse destroys its legality, there is no legal government now in the world.

THIS power, which the Commons have so long exercised, they ventured to use once more against Mr. Wilkes, and on the 3d of February, 1769, expelled him the House, *for having printed and published a seditious libel, and three obscene and impious libels.*

IF these imputations were just, the expulsion was surely seasonable, and that they were just, the House had reason to determine, as he had confessed himself, at the bar, the author of the libel which they term seditious, and was convicted in the King's Bench of both the publications.

BUT the Freeholders of Middlesex were of another opinion. They either thought him innocent, or were not offended by his guilt. When a writ was issued for the election of a knight for Middlesex, in the room of John Wilkes, Esq; expelled the House, his friends on the sixteenth of February chose him again.

ON the 17th, it was resolved, *that John Wilkes, Esq; having been in this Session of Parliament expelled the House, was, and is, incapable of being elected a member to serve in this present Parliament.*

As

As there was no other candidate, it was resolved, at the same time, that the election of the sixteenth was a void election.

THE Freeholders still continued to think that no other man was fit to represent them, and on the sixteenth of March elected him once more. Their resolution was now so well known, that no opponent ventured to appear.

THE Commons began to find, that power without materials for operation can produce no effect. They might make the election void for ever, but if no other candidate could be found, their determination could only be negative. They, however, made void the last election, and ordered a new writ.

ON the thirteenth of April was a new election, at which Mr. Lutterel, and others, offered themselves candidates. Every method

thod of intimidation was used, and some acts of violence were done to hinder Mr. Lutterel from appearing. He was not deterred, and the poll was taken, which exhibited for Mr. Wilkes, — — 1143

Mr. Lutterel, — — 296
The sheriff returned Mr. Wilkes, but the House, on April the fifteenth, determined that Mr. Lutterel was lawfully elected.

FROM this day begun the clamour, which has continued till now. Those who had undertaken to oppose the ministry, having no grievance of greater magnitude, endeavoured to swell this decision into bulk, and distort it into deformity, and then held it out to terrify the nation.

EVERY artifice of sedition has been since practised to awaken discontent and inflame indignation. The papers of every day have been filled with the exhortations and menaces of faction. The madness has spread
through

through all ranks and through both sexes; women and children have clamoured for Mr. Wilkes, honest simplicity has been cheated into fury, and only the wife have escaped infection.

THE greater part may justly be suspected of not believing their own position, and with them it is not necessary to dispute. They cannot be convinced, who are convinced already, and it is well known that they will not be ashamed.

THE decision, however, by which the smaller number of votes was preferred to the greater, has perplexed the minds of some, whose opinions it were indecent to despise, and who by their integrity well deserve to have their doubts appeased.

EVERY diffuse and complicated question may be examined by different methods, upon different principles; and that truth,
which

which is easily found by one investigator, may be missed by another, equally honest and equally diligent.

THOSE who inquire, whether a smaller number of legal votes can elect a representative in opposition to a greater, must receive from every tongue the same answer.

THE question, therefore, must be, whether a smaller number of legal votes, shall not prevail against a greater number of votes not legal.

IT must be considered, that those votes only are legal which are legally given, and that those only are legally given, which are given for a legal candidate.

IT remains then to be discussed, whether a man expelled, can be so disqualified by
C a vote.

a vote of the House, as that he shall be no longer eligible by lawful electors.

HERE we must again recur, not to positive institutions, but to the unwritten law of social nature, to the great and pregnant principle of political necessity. All government supposes subjects; all authority implies obedience. To suppose in one the right to command what another has the right to refuse is absurd and contradictory. A state so constituted must rest for ever in motionless equipoise, with equal attractions of contrary tendency, with equal weights of power balancing each other.

LAWS which cannot be enforced, can neither prevent nor rectify disorders. A sentence which cannot be executed can have no power to warn or to reform. If the Commons have only the power of dismissing for a few days the man whom his consti-

agents can immediately send back; if they can expel but cannot exclude, they have nothing more than nominal authority, to which perhaps obedience never may be paid.

THE representatives of our ancestors had an opinion very different: they fined and imprisoned their members; on great provocation they disabled them for ever, and this power of pronouncing perpetual disability is maintained by Selden himself.

THESE claims seem to have been made and allowed, when the constitution of our government had not yet been sufficiently studied. Such powers are not legal, because they are not necessary; and of that power which only necessity justifies, no more is to be admitted than necessity obtrudes.

THE Commons cannot make laws, they can only pass resolutions, which, like all resolutions, are of force only to those that make them, and to those only while they are willing to observe them.

THE vote of the House of Commons has therefore only so far the force of a law, as that force is necessary to preserve the vote from losing its efficacy, it must begin by operating upon themselves, and extends its influence to others, only by consequences arising from the first intention. He that starts game on his own manor, may pursue it into another.

THEY can properly make laws only for themselves : a member, while he keeps his seat, is subject to these laws ; but when he is expelled, the jurisdiction ceases, for he is now no longer within their dominion.

THE disability, which a vote can superinduce to expulsion, is no more than was included in expulsion itself; it is only a declaration of the Commons, that they will permit no longer him whom they thus censure to sit with them in Parliament; a declaration made by that right which they necessarily possess, of regulating their own House, and of inflicting punishment on their own delinquents.

THEY have therefore no other way to enforce the sentence of incapacity, than that of adhering to it. They cannot otherwise punish the candidate so disqualified for offering himself, nor the electors for accepting him. But if he has any competitor, that competitor must prevail, and if he has none, his election will be void; for the right of the House to reject, annihilates with regard to the man so rejected the right of electing.

It has been urged, that the power of the House terminates with their session; since a prisoner committed by the Speaker's warrant cannot be detained during the recess. That power indeed ceases with the session, which must operate by the agency of others, because, when they do not sit, they can employ no agent, having no longer any legal existence; but that which is exercised on themselves revives at their meeting, when the subject of that power still subsists. They can in the next session refuse to re-admit him, whom in the former session they expelled.

THAT expulsion inferred exclusion, in the present case, must be, I think, easily admitted. The expulsion and the writ issued for a new election were in the same session, and since the House is by the rule of Parliament bound for the session by a vote once passed, the expelled member cannot be admitted. He that can-

not

not be admitted; cannot be elected; and the votes given to a man ineligible being given in vain, the highest number for an eligible candidate becomes a majority.

To these conclusions, as to most moral, and to all political positions, many objections may be made. The perpetual subject of political disquisition is not absolute, but comparative good. Of two systems of government, or two laws relating to the same subject, neither will ever be such as theoretical nicety would desire, and therefore neither can easily force its way against prejudice and obstinacy; each will have its excellencies and defects, and every man, with a little help from pride, may think his own the best.

It seems to be the opinion of many, that expulsion is only a dismissal of the representative to his constituents, with such a testimony against him as his sentence may

comprise; and that if his constituents, notwithstanding the censure of the House, thinking his case hard, his fault trifling, or his excellencies such as overbalance it, should again chuse him as still worthy of their trust, the House cannot refuse him, for his punishment has purged his fault, and the right of electors must not be violated.

THIS is plausible but not cogent. It is a scheme of representation, which would make a specious appearance in a political romance, but cannot be brought into practice among us, who see every day the towering head of speculation bow down unwillingly to groveling experience.

GOVERNMENTS formed by chance, and gradually improved by such expedients, as the successive discovery of their defects happened to suggest, are never to be tried by a regular theory. They are fabricks of dissimilar

diffimilar materials, raised by different architects, upon different plans. We must be content with them as they are; should we attempt to mend their disproportions, we might easily demolish, and difficultly rebuild them.

LAWs are now made, and customs are established; these are our rules, and by them we must be guided.

IT is uncontrovertibly certain, that the Commons never intended to leave electors the liberty of returning them an expelled member, for they always require one to be chosen in the room of him that is expelled, and I see not with what propriety a man can be rechosen in his own room.

EXPULSION, if this were its whole effect, might very often be desirable. Sedition, or obscenity, might be no greater crimes in the opinion of other electors, than in
that

that of the freeholders of Middlesex ; and many a wretch, whom his colleagues should expel, might come back persecuted into fame, and provoke with harder front a second expulsion.

MANY of the representatives of the people can hardly be said to have been chosen at all. Some by inheriting a borough inherit a seat ; and some sit by the favour of others, whom perhaps they may gratify by the act which provoked the expulsion. Some are safe by their popularity, and some by their alliances. None would dread expulsion, if this doctrine were received, but those who bought their elections, and who would be obliged to buy them again at a higher price.

BUT as uncertainties are to be determined by things certain, and customs to be explained, where it is possible, by written law, the patriots have triumphed with a

quotation from an act of the 4th and 5th of *Anne*, which permits those to be rechosen, whose seats are vacated by the acceptance of a place of profit. This they wisely consider as an expulsion, and from the permission, in this case, of a re-election, infer that every other expulsion leaves the delinquent entitled to the same indulgence. This is the paragraph.

“ If any person, *being chosen a member*
 “ of the House of Commons, shall accept
 “ of any office from the crown, *during*
 “ *such time as he shall continue a member,*
 “ his election shall be, and is hereby de-
 “ clared to be void, and a new writ shall
 “ issue for a new election, as if such per-
 “ son so accepting was naturally dead.
 “ *Nevertheless such person shall be capable*
 “ *of being again elected,* as if his place
 “ had not become void as aforesaid.”

How

How this favours the doctrine of re-admission by a second choice, I am not able to discover. The statute of 30 Ch. II. had enacted, *That he who should sit in the House of Commons, without taking the oaths and subscribing the test, should be disabled to sit in the House during that Parliament, and a writ should issue for the election of a new member, in place of the member so disabled, as if such member had naturally died.*

THIS last clause is apparently copied in the act of Anne, but with the common fate of imitators. In the act of Charles, the political death continued during the Parliament, in that of Anne it was hardly worth the while to kill the man whom the next breath was to revive. It is, however, apparent, that in the opinion of the Parliament, the dead-doing lines would have kept him motionless, if he had not been recovered by a kind exception. A seat vacated,

cated, could not be regained without express permission of the same statute.

THE right of being chosen again to a seat thus vacated, is not enjoyed by any general right, but required a special clause, and solicitous provision.

BUT what resemblance can imagination conceive between one man vacating his seat, by a mark of favour from the crown, and another driven from it for sedition and obscenity. The acceptance of a place contaminates no character; the crown that gives it, intends to give with it always dignity, sometimes authority. The commons, it is well known, think not worse of themselves or others for their offices of profit; yet profit implies temptation, and may expose a representative to the suspicion of his constituents; though if they still think him worthy of their confidence, they may again elect him.

SUCH

SUCH is the consequence. When a man is dismissed by law to his constituents, with new trust and new dignity, they may, if they think him incorruptible, restore him to his seat; what can follow, therefore, but that when the House drives out a varlet with public infamy, he goes away with the like permission to return.

IF infatuation be, as the proverb tells us, the forerunner of destruction, how near must be the ruin of a nation that can be incited against its governors, by sophistry like this. I may be excused if I catch the panick, and join my groans at this alarming crisis, with the general lamentation of weeping patriots.

ANOTHER objection is, that the Commons, by pronouncing the sentence of disqualification, make a law, and take upon themselves the power of the whole legislature. Many quotations are then produced

duced to prove that the House of Commons can make no laws.

THREE acts have been cited, disabling members for different terms on different occasions, and it is profoundly remarked, that if the Commons could by their own privilege have made a disqualification, their jealousy of their privileges would never have admitted the concurrent sanction of the other powers.

I MUST for ever remind these puny controvertists, that those acts are laws of permanent obligation: that two of them are now in force, and that the other expired only when it had fulfilled its end. Such laws the Commons cannot make; they could, perhaps, have determined for themselves, that they would expel all who should not take the test, but they could leave no authority behind them, that should oblige the next Parliament to expel them. They could
refuse

refuse the South Sea directors, but they could not entail the refusal. They can disqualify by vote, but not by law; they cannot know that the sentence of disqualification pronounced to-day may not become void to-morrow, by the dissolution of their own House. Yet while the same Parliament sits, the disqualification continues unless the vote be rescinded, and while it so continues, makes the votes, which freeholders may give to the interdicted candidate, useless and dead, since there cannot exist, with respect to the same subject at the same time, an absolute power to chuse and an absolute power to reject.

IN 1614, the attorney-general was voted incapable of a seat in the House of Commons; and the nation is triumphantly told, that though the vote never was revoked, the attorney-general is now a member. He certainly may now be a member without revocation of the vote. A law is of
perpetual

perpetual obligation, but a vote is nothing when the voters are gone. A law is a compact reciprocally made by the legislative powers, and therefore not to be abrogated but by all the parties. A vote is simply a resolution, which binds only him that is willing to be bound.

I HAVE thus punctiliously and minutely pursued this disquisition, because I suspect that these reasoners, whose business is to deceive others, have sometimes deceived themselves, and I am willing to free them from their embarrassment, though I do not expect much gratitude for my kindness.

OTHER objections are yet remaining, for of political objections there cannot easily be an end. It has been observed, that vice is no proper cause of expulsion, for if the worst man in the House were always to be expelled, in time none would be left.

But no man is expelled for being worst, he is expelled for being enormously bad; his conduct is compared, not with that of others, but with the rule of action.

THE punishment of expulsion being in its own nature uncertain, may be too great or too little for the fault.

THIS must be the case of many punishments. Forfeiture of chattels is nothing to him that has no possessions. Exile itself may be accidentally a good; and indeed any punishment less than death is very different to different men.

BUT if this precedent be admitted and established, no man can hereafter be sure that he shall be represented by him whom he would choose. One half of the House may meet early in the morning, and snatch an opportunity to expel the other, and the greater part of the nation may by this stratagem

stratagem be without its lawful representatives.

HE that sees all this, sees very far. But I can tell him of greater evils yet behind. There is one possibility of wickedness, which, at this alarming crisis, has not yet been mentioned. Every one knows the malice, the subtilty, the industry, the vigilance, and the greediness of the Scots. The Scotch members are about the number sufficient to make a house. I propose it to the consideration of the Supporters of the Bill of Rights, whether there is not reason to suspect, that these hungry intruders from the North, are now contriving to expel all the English. We may then curse the hour in which it was determined, that expulsion and exclusion are the same. For who can guess what may be done when the Scots have the whole House to themselves?

THUS agreeable to custom and reason, notwithstanding all objections, real or imaginary; thus consistent with the practice of former times, and thus consequential to the original principles of government, is that decision by which so much violence of discontent has been excited, which has been so dolorously bewailed, and so outrageously repented.

LET us however not be seduced to put too much confidence in justice or in truth, they have often been found inactive in their own defence, and give more confidence than help to their friends and their advocates. It may perhaps be prudent to make one momentary concession to falsehood, by supposing the vote in Mr. Luttrell's favour to be wrong.

ALL wrong ought to be rectified. If Mr. Wilkes is deprived of a lawful seat, both he and his electors have reason to complain;

complain; but it will not be easily found; why, among the innumerable wrongs of which a great part of mankind are hourly complaining, the whole care of the Public should be transferred to Mr. Wilkes and the freeholders of Middlesex, who might all sink into non-existence, without any other effect, than that there would be room made for a new rabble, and a new retailer of sedition and obscenity. The cause of our country would suffer little; the rabble, whencesoever they come, will be always patriots, and always Supporters of the Bill of Rights.

THE House of Commons decides the disputes arising from elections. Was it ever supposed, that in all cases their decisions were right? Every man whose lawful election is defeated, is equally wronged with Mr. Wilkes, and his constituents feel their disappointment with no less anguish than the freeholders of Middlesex. These

decisions have often been apparently partial, and sometimes tyrannically oppressive. A majority has been given to a favourite candidate, by expunging votes which had always been allowed, and which therefore had the authority by which all votes are given, that of custom uninterrupted. When the Commons determine who shall be constituents, they may, with some propriety, be said to make law, because those determinations have hitherto, for the sake of quiet, been adopted by succeeding Parliaments. A vote therefore of the House, when it operates as a law, is to individuals a law only temporary, but to communities perpetual.

YET though all this has been done, and though at every new Parliament much of this is expected to be done again, it has never produced in any former time such an *alarming crisis*. We have found by experience, that though a squire has given
alc

ale and venison in vain, and a borough has been compelled to see its dearest interest in the hands of him whom it did not trust, yet the general state of the nation has continued the same. The sun has risen, and the corn has grown, and whatever talk has been of the danger of property, yet he that ploughed the field commonly reaped it, and he that built a house was master of the door: the vexation excited by injustice suffered, or supposed to be suffered, by any private man, or single community, was local and temporary, it neither spread far, nor lasted long.

THE nation looked on with little care, because there did not seem to be much danger. The consequence of small irregularities was not felt, and we had not yet learned to be terrified by very distant enemies.

BUT quiet and security are now at an end. Our vigilance is quickened, and our

comprehension is enlarged. We not only see events in their causes, but before their causes; we hear the thunder while the sky is clear, and see the mine sprung before it is dug. Political wisdom has, by the force of English genius, been improved at last not only to political intuition, but to political prescience.

BUT it cannot, I am afraid, be said, that as we are grown wise, we are made happy. It is said of those who have the wonderful power called second sight, that they seldom see any thing but evil: political second sight has the same effect; we hear of nothing but of an alarming crisis, of violated rights, and expiring liberties. The morning rises upon new wrongs, and the dreamer passes the night in imaginary shackles.

THE sphere of anxiety is now enlarged; he that hitherto cared only for himself,
 now

now cares for the Public ; for he has learned that the happiness of individuals is comprised in the prosperity of the whole, and that his country never suffers but he suffers with it, however it happens that he feels no pain.

FIRE with this fever of epidemic patriotism ; the taylor slips his thimble, the drapier drops his yard, and the blacksmith lays down his hammer ; they meet at an honest alehouse, consider the state of the nation, read or hear the last petition, lament the miseries of the time, are alarmed at the dreadful crisis, and subscribe to the support of the Bill of Rights.

It sometimes indeed happens, that an intruder of more benevolence than prudence attempts to disperse their cloud of dejection, and ease their hearts by seasonable consolation. He tells them, that though the government cannot be too diligently watched, it may be too hastily accused ; and that,

though private judgment is every man's right, yet we cannot judge of what we do not know; that we feel at present no evils which government can alleviate, and that the public business is committed to men who have as much right to confidence as their adversaries; that the freeholders of Middlesex, if they could not choose Mr. Wilkes, might have chosen any other man, and that *he trusts we have within the realm five hundred as good as he*: that even if this which has happened to Middlesex had happened to every other county, that one man should be made incapable of being elected, it could produce no great change in the Parliament, nor much contract the power of election; that what has been done is probably right, and that if it be wrong it is of little consequence, since a like case cannot easily occur; that expulsions are very rare, and if they should, by unbounded insolence of faction, become
more

more frequent, the electors may easily provide a second choice.

ALL this he may say, but not half of this will be heard ; his opponents will stun him and themselves with a confused sound of pension and places, venality and corruption, oppression and invasion, slavery and ruin.

OUTCRIES like these, uttered by malignity, and echoed by folly ; general accusations of indeterminate wickedness ; and obscure hints of impossible designs, dispersed among those that do not know their meaning, by those that know them to be false, have disposed part of the nation, though but a small part, to pester the court with ridiculous petitions.

THE progress of a petition is well known. An ejected placeman goes down to his county or his borough, tells his
friends

friends of his inability to serve them, and his constituents of the corruption of the government. His friends readily understand that he who can get nothing, will have nothing to give. They agree to proclaim a meeting; meat and drink are plentifully provided; a crowd is easily brought together, and those who think that they know the reason of their meeting, undertake to tell those who know it not. Ale and clamour unite their powers, the crowd, condensed and heated, begins to ferment with the leaven of sedition. All see a thousand evils though they cannot show them, and grow impatient for a remedy, though they know not what.

A SPEECH is then made by the Cicero of the day, he says much, and suppresses more, and credit is equally given to what he tells, and what he conceals. The petition is read and universally approved. Those who are sober enough to write, add
their

their names, and the rest would sign it if they could.

EVERY man goes home and tells his neighbour of the glories of the day ; how he was consulted and what he advised ; how he was invited into the great room, where his lordship called him by his name ; how he was careffed by Sir Francis, Sir Joseph, or Sir George ; how he eat turtle and venison, and drank unanimity to the three brothers.

THE poor loiterer, whose shop had confined him, or whose wife had locked him up, hears the tale of luxury with envy, and at last inquires what was their petition. Of the petition nothing is remembered by the narrator, but that it spoke much of fears and apprehensions, and something very alarming, and that he is sure it is against the government ; the other is convinced that it must be right, and wishes he
had

had been there, for he loves wine and venison, and is resolved as long as he lives to be against the government.

THE petition is then handed from town to town, and from house to house, and wherever it comes the inhabitants flock together, that they may see that which must be sent to the King. Names are easily collected. One man signs because he hates the papists; another because he has vowed destruction to the turnpikes; one because it will vex the parson; another because he owes his landlord nothing; one because he is rich; another because he is poor; one to shew that he is not afraid, and another to shew that he can write.

THE passage, however, is not always smooth. Those who collect contributions to sedition, sometimes apply to a man of higher rank and more enlightened mind, who instead of lending them his name, calmly

calmly reproves them for being seducers of the people.

You who are here, says he, complaining of venality, are yourselves the agents of those, who having estimated themselves at too high a price, are only angry that they are not bought. You are appealing from the parliament to the rabble, and inviting those, who scarcely, in the most common affairs, distinguish right from wrong, to judge of a question complicated with law written and unwritten, with the general principles of government, and the particular customs of the House of Commons; you are shewing them a grievance, so distant that they cannot see it, and so light that they cannot feel it; for how, but by unnecessary intelligence and artificial provocation, should the farmers and shopkeepers of Yorkshire and Cumberland know or care how Middlesex is represented. Instead of wandering thus round the

6 county

county to exasperate the rage of party, and darken the suspicions of ignorance, it is the duty of men like you, who have leisure for inquiry, to lead back the people to their honest labour; to tell them, that submission is the duty of the ignorant, and content the virtue of the poor; that they have no skill in the art of government, nor any interest in the dissensions of the great; and when you meet with any, as some there are, whose understandings are capable of conviction, it will become you to allay this foaming ebullition, by shewing them that they have as much happiness as the condition of life will easily receive, and that a government, of which an erroneous or unjust representation of Middlesex is the greatest crime that interest can discover, or malice can upbraid, is a government approaching nearer to perfection, than any that experience has known, or history related.

THE drudges of sedition wish to change their ground, they hear him with fullen silence, feel conviction without repentance, and are confounded but not abashed; they go forward to another door, and find a kinder reception from a man enraged against the government, because he has just been paying the tax upon his windows.

THAT a petition for a dissolution of the Parliament will at all times have its favourers, may be easily imagined. The people indeed do not expect that one House of Commons will be much honest or much wiser than another; they do not suppose that the taxes will be lightened; or though they have been so often taught to hope it, that soap and candles will be cheaper; they expect no redress of grievances, for of no grievances but taxes do they complain; they wish not the extension of liberty, for they do not feel any

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restraint;

restraint; about the security of privilege or property they are totally careless, for they see no property invaded, nor know, till they are told, that any privilege has suffered violation.

LEAST of all do they expect, that any future Parliament will lessen its own powers, or communicate to the people that authority which it has once obtained.

YET a new Parliament is sufficiently desirable. The year of election is a year of jollity; and what is still more delightful, a year of equality. The glutton now eats the delicacies for which he longed when he could not purchase them, and the drunkard has the pleasure of wine without the cost. The drone lives a-while without work, and the shopkeeper, in the flow of money, raises his price. The mechanic that trembled at the presence of Sir Joseph, now bids him

2

come

come again for an answer; and the poacher whose gun has been seized, now finds an opportunity to reclaim it. Even the honest man is not displeased to see himself important, and willingly resumes in two years that power which he had resigned for seven. Few love their friends so well as not to desire superiority by unexpensive benefaction.

YET, notwithstanding all these motives to compliance, the promoters of petitions have not been successful. Few could be persuaded to lament evils which they did not suffer, or to solicit for redress which they do not want. The petition has been, in some places, rejected; and perhaps in all but one, signed only by the meanest and grossest of the people.

Since this expedient now invented or revived to distress the government, and equally practicable at all times by all who

shall be excluded from power and from profit, has produced so little effect, let us consider the opposition as no longer formidable. The great engine has recoiled upon them. They thought that *the terms* they *sent were terms of weight*, which would have *amazed all and stumbled many*; but the consternation is now over, and their foes *stand upright*, as before.

WITH great propriety and dignity the king has, in his speech, neglected or forgotten them. He might easily know, that what was presented as the sense of the people, is the sense only of the profligate and dissolute; and that whatever Parliament should be convened, the same petitioners would be ready, for the same reason, to request its dissolution.

As we once had a rebellion of the clowns, we have now an opposition of the pedlars. The quiet of the nation has been
for

for years disturbed by a faction, against which all factions ought to conspire; for its original principle is the desire of leveling; it is only animated under the name of zeal, by the natural malignity of the mean against the great.

WHEN in the confusion which the English invasions produced in France, the villains, imagining that they had found the golden hour of emancipation, took arms in their hands, the knights of both nations considered the cause as common, and, suspending the general hostility, united to chastise them.

THE whole conduct of this despicable faction is distinguished by plebeian grossness, and savage indecency. To misrepresent the actions and the principles of their enemies is common to all parties; but the insolence of invective, and brutality of

reproach, which have lately prevailed, are peculiar to this.

AN infallible characteristic of meanness is cruelty. This is the only faction that has shouted at the condemnation of a criminal, and that, when his innocence procured his pardon, has clamoured for his blood.

ALL other parties, however enraged at each other, have agreed to treat the throne with decency; but these low-born railers have attacked not only the authority, but the character of their Sovereign, and have endeavoured, surely without effect, to alienate the affections of the people from the only king, who, for almost a century, has much appeared to desire, or much endeavoured to deserve them. They have insulted him with rudeness and with menaces, which were never excited by the gloomy fullness of William, even when half the nation

nation denied him their allegiance; nor by the dangerous bigotry of James, unless when he was finally driven from his palace; and with which scarcely the open hostilities of rebellion ventured to vilify the unhappy Charles, even in the remarks on the cabinet of Naseby.

It is surely not unreasonable to hope, that the nation will consult its dignity, if not its safety, and disdain to be protected or enslaved by the declaimers or the plotters of a city-tavern. Had Rome fallen by the Catilinarian conspiracy, she might have consoled her fate by the greatness of her destroyers; but what would have alleviated the disgrace of England, had her government been changed by Tiler or by Ket?

ONE part of the nation has never before contended with the other, but for some weighty and apparent interest. If the means were violent, the end was great.

The civil war was fought for what each army called and believed the best religion, and the best government. The struggle in the reign of Anne, was to exclude or restore an exiled king. We are now disputing, with almost equal animosity, whether Middlesex shall be represented or not by a criminal from a jail.

THE only comfort left in such degeneracy is, that a lower state can be no longer possible.

IN this contemptuous censure, I mean not to include every single man. In all lead, says the chemist, there is silver; and in all copper there is gold. But mingled masses are justly denominated by the greater quantity, and when the precious particles are not worth extraction, a faction and a pig must be melted down together to the forms and offices that chance allots them.

Fiunt urceoli, pelves, sartago, patelle.

A FEW weeks will now shew whether the Government can be shaken by empty noise, and whether the faction which depends upon its influence, has not deceived alike the Public and itself. That it should have continued till now, is sufficiently shameful. None can indeed wonder that it has been supported by the sectaries, the natural fomenters of sedition, and confederates of the rabble, of whose religion little now remains but hatred of establishments, and who are angry to find separation now only tolerated, which was once rewarded; but every honest man must lament, that it has been regarded with frigid neutrality by the Tories, who, being long accustomed to signalize their principles by opposition to the court, do not yet consider that they have at last a king who knows not the name of party, and who wishes to be the common father of all his people.

As a man inebriated only by vapours, soon recovers in the open air; a nation discontented to madness, without any adequate cause, will return to its wits and its allegiance when a little pause has cooled it to reflection. Nothing, therefore, is necessary, at this *alarming crisis*, but to consider the alarm as false. To make concessions is to encourage encroachment. Let the court despise the faction, and the disappointed people will soon deride it.

MR. J. A. B. 1877

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TH O U G H T S

ON THE

L A T E T R A N S A C T I O N S

R E S P E C T I N G

Falkland's Islands.

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FALKLAND's ISLANDS.

TO proportion the eagerness of contest to its importance seems too hard a task for human wisdom. The pride of wit has kept ages busy in the discussion of useless questions, and the pride of power has destroyed armies to gain or to keep unprofitable possessions.

Not many years have passed since the cruelties of war were filling the world with terror and with sorrow; rage was at last appeased, or strength exhausted, and to the harassed nations peace was restored, with its pleasures and its benefits. Of this state all felt the happiness, and all implored the
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continuance; but what continuance of happiness can be expected, when the whole system of European empire can be in danger of a new concussion, by a contention for a few spots of earth, which, in the deserts of the ocean, had almost escaped human notice, and which, if they had not happened to make a sea-mark, had perhaps never had a name.

FORTUNE often delights to dignify what nature has neglected, and that renown which cannot be claimed by intrinsic excellence or greatness, is sometimes derived from unexpected accidents. The Rubicon was ennobled by the passage of Cæsar, and the time is now come when Falkland's Islands demand their historian.

BUT the writer to whom this employment shall be assigned, will have few opportunities of descriptive splendor, or narrative elegance. Of other countries it is
told

told how often they have changed their government; these islands have hitherto changed only their name. Of heroes to conquer, or legislators to civilize, here has been no appearance; nothing has happened to them but that they have been sometimes seen by wandering navigators, who passed by them in search of better habitations.

WHEN the Spaniards, who, under the conduct of Columbus, discovered America, had taken possession of its most wealthy regions; they surprised and terrified Europe by a sudden and unexampled influx of riches. They were made at once insupportably insolent, and might perhaps have become irresistibly powerful, had not their mountainous treasures been scattered in the air with the ignorant profusion of unaccustomed opulence.

THE greater part of the European potentates saw this stream of riches flowing into
Spain

Spain without attempting to dip their own hands in the golden fountain. France had no naval skill or power; Portugal was extending her dominions in the East over regions formed in the gaiety of Nature; the Hanseatic league, being planned only for the security of traffick, had no tendency to discovery or invasion; and the commercial states of Italy growing rich by trading between Asia and Europe, and not lying upon the ocean, did not desire to seek by great hazards, at a distance, what was almost at home to be found with safety.

THE English alone were animated by the success of the Spanish navigators, to try if any thing was left that might reward adventure, or incite appropriation. They sent Cabot into the North, but in the North there was no gold or silver to be found. The best regions were pre-occupied, yet they still continued their hopes and their labours. They were the second nation that
dared

dared the extent of the Pacifick Ocean, and the second circumnavigators of the globe.

By the war between Elizabeth and Philip, the wealth of America became lawful prize, and those who were less afraid of danger than of poverty, supposed that riches might easily be obtained by plundering the Spaniards. Nothing is difficult when gain and honour unite their influence; the spirit and vigour of these expeditions enlarged our views of the new world, and made us first acquainted with its remoter coasts.

In the fatal voyage of Cavendish (1592) Captain Davis, who, being sent out as his associate, was afterwards parted from him or deserted him, as he was driven by violence of weather about the Straits of Magellan, is supposed to have been the first who saw the lands now called Falkland's Islands, but his distress permitted him not to make

any observation, and he left them, as he found them, without a name.

Not long afterwards (1594) Sir Richard Hawkins, being in the same seas with the same designs, saw these islands again; if they are indeed the same islands, and in honour of his mistress, called them Hawkins's Maiden Land.

THIS voyage was not of renown sufficient to procure a general reception to the new name, for when the Dutch, who had now become strong enough not only to defend themselves, but to attack their masters, sent (1598) Verhagen and Sebald de Wert, into the South Sea, these Islands, which were not supposed to have been known before, obtained the denomination of Sebald's Islands, and were from that time placed in the charts; though Frezier tells us, that they were yet considered as of doubtful existence.

THEIR

THEIR present English name was probably given them (1689) by Strong, whose journal, yet unprinted, may be found in the Museum. This name was adopted by Halley, and has from that time, I believe, been received into our maps.

THE privateers which were put into motion by the wars of William and Anne, saw those islands and mention them; but they were yet not considered as territories worth a contest. Strong affirmed that there was no wood, and Dampier suspected that they had no water.

FREZIER describes their appearance with more distinctness, and mentions some ships of St. Maloes, by which they had been visited, and to which he seems willing enough to ascribe the honour of discovering islands which yet he admits to have been seen by Hawkins, and named by Sebald de Wert. He, I suppose, in honour of his

countrymen, called them the Malouines, the denomination now used by the Spaniards, who seem not, till very lately, to have thought them important enough to deserve a name.

SINCE the publication of Anson's voyage, they have very much changed their opinion, finding a settlement in Pepys's or Falkland's Island recommended by the author as necessary to the success of our future expeditions against the coast of Chili, and as of such use and importance, that it would produce many advantages in peace, and in war would make us masters of the South Sea.

SCARCELY any degree of judgment is sufficient to restrain the imagination from magnifying that on which it is long detained. The relator of Anson's voyage had heated his mind with its various events, had partaken the hope with which it was begun,

gun, and the vexation suffered by its various miscarriages, and then thought nothing could be of greater benefit to the nation than that which might promote the success of such another enterprise.

HAD the heroes of that history even performed and attained all that when they first spread their sails they ventured to hope, the consequence would yet have produced very little hurt to the Spaniards, and very little benefit to the English. They would have taken a few towns; Anson and his companions would have shared the plunder or the ransom; and the Spaniards, finding their southern territories accessible, would for the future have guarded them better.

THAT such a settlement may be of use in war, no man that considers its situation will deny. But war is not the whole business of life; it happens but seldom, and every

man, either good or wise, wishes that its frequency were still less. That conduct which betrays designs of future hostility, if it does not excite violence, will always generate malignity ; it must for ever exclude confidence and friendship, and continue a cold and sluggish rivalry, by a fly reciprocation of indirect injuries, without the bravery of war, or the security of peace.

THE advantage of such a settlement in time of peace is, I think, not easily to be proved. For what use can it have but of a station for contraband traders, a nursery of fraud, and a receptacle of theft? Narborough, about a century ago, was of opinion, that no advantage could be obtained in voyages to the South Sea, except by such an armament as, with a sailor's morality, *might trade by force*. It is well known that the prohibitions of foreign commerce are, in these countries, to the last degree rigorous, and that no man not
autho-

authorized by the King of Spain can trade there but by force or stealth. Whatever profit is obtained must be gained by the violence of rapine, or dexterity of fraud.

GOVERNMENT will not perhaps soon arrive at such purity and excellence, but that some connivance at least will be indulged to the triumphant robber and successful cheat. He that brings wealth home is seldom interrogated by what means it was obtained. This, however, is one of those modes of corruption with which mankind ought always to struggle, and which they may in time hope to overcome. There is reason to expect, that as the world is more enlightened, policy and morality will at last be reconciled, and that nations will learn not to do what they would not suffer.

BUT the silent toleration of suspected guilt is a degree of depravity far below that which openly incites and manifestly pro-

fects it. To pardon a pirate may be injurious to mankind; but how much greater is the crime of opening a port in which all pirates shall be safe? The contraband trader is not more worthy of protection: if with Narborough he trades by force, he is a pirate; if he trades secretly, he is only a thief. Those who honestly refuse his traffick he hates as obstructors of his profit; and those with whom he deals he cheats, because he knows that they dare not complain. He lives with a heart full of that malignity which fear of detection always generates in those who are to defend unjust acquisitions against lawful authority; and when he comes home with riches thus acquired, he brings a mind hardened in evil, too proud for reproof, and too stupid for reflection; he offends the high by his insolence, and corrupts the low by his example.

—[WHETHER these truths were forgotten or despised, or whether some better purpose was

was then in agitation, the representation made in Anson's voyage had such effect upon the statesmen of that time, that (in 1748) some sloops were fitted out for the fuller knowledge of Pepys and Falkland's Islands, and for further discoveries in the South Sea. This expedition, though perhaps designed to be secret, was not long concealed from *Wall*, the Spanish ambassador, who so vehemently opposed it, and so strongly maintained the right of the Spaniards to the exclusive dominion of the South Sea, that the English ministry relinquished part of their original design, and declared that the examination of those two Islands was the utmost that their orders should comprize.

THIS concession was sufficiently liberal or sufficiently submissive; yet the Spanish court was neither gratified by our kindness, nor softened by our humility. Sir Benjamin Keene, who then resided at Madrid,

was interrogated by Carvajal concerning the visit intended to Pepys' and Falkland's Islands in terms of great jealousy and discontent; and the intended expedition was represented, if not as a direct violation of the late peace, yet as an act inconsistent with amicable intentions, and contrary to the professions of mutual kindness which then passed between Spain and England. Keene was directed to protest that nothing more than mere discovery was intended, and that no settlement was to be established. The Spaniard readily replied, that if this was a voyage of wanton curiosity, it might be gratified with less trouble, for he was willing to communicate whatever was known: That to go so far only to come back, was no reasonable act; and it would be a slender sacrifice to peace and friendship to omit a voyage in which nothing was to be gained: That if we left the places as we found them, the voyage was useless; and if we took possession, it was a hostile armament, nor

could we expect that the Spaniards would suppose us to visit the southern parts of America only from curiosity, after the scheme proposed by the author of Anson's Voyage.

WHEN once we had disowned all purpose of settling, it is apparent that we could not defend the propriety of our expedition by arguments equivalent to Carvajal's objections. The ministry therefore dismissed the whole design, but no declaration was required by which our right to pursue it hereafter might be annulled.

FROM this time Falkland's Island was forgotten or neglected, till the conduct of naval affairs was intrusted to the Earl of Egmont, a man whose mind was vigorous and ardent, whose knowledge was extensive, and whose designs were magnificent; but who had somewhat vitiated his judgment by too much indulgence of romantick projects and airy speculations.

LORD Egmont's eagerness after something new determined him to make inquiry after Falkland's Island, and he sent out Captain Byron, who, in the beginning of the year 1765, took, he says, a formal possession in the name of his Britannick Majesty.

THE possession of this place is, according to Mr. Byron's representation, no despicable acquisition. He conceived the island to be six or seven hundred miles round, and represented it as a region naked indeed of wood, but which, if that defect were supplied, would have all that nature, almost all that luxury could want. The harbour he found capacious and secure, and therefore thought it worthy of the name of Egmont. Of water there was no want, and the ground, he described as having all the excellencies of soil, and as covered with antiscorbutick herbs, the restoratives of the sailor. Provision was easily to be had, for they killed

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ed almost every day an hundred geese to each ship, by pelting them with stones. Not content with physick and with food, he searched yet deeper for the value of the new dominion. He dug in quest of ore, found iron in abundance, and did not despair of nobler metals.

A COUNTRY thus fertile and delightful, fortunately found where none would have expected it, about the fiftieth degree of southern latitude, could not without great supineness be neglected. Early in the next year (January 8, 1766) Captain Macbride arrived at Port Egmont, where he erected a small blockhouse, and stationed a garrison. His description was less flattering. He found, what he calls, a mass of islands and broken lands, of which the soil was nothing but a bog, with no better prospect than that of barren mountains, beaten by storms almost perpetual. Yet this, says he, is summer, and if the winds of winter hold their natural proportion, those who lie but

two cables length from the shore, must pass weeks without any communication with it. The plenty which regaled Mr. Byron, and which might have supported not only armies, but armies of Patagons, was no longer to be found. The geese were too wise to stay when men violated their haunts, and Mr. Macbride's crew could only now and then kill a goose when the weather would permit. All the quadrupeds which he met there were foxes, supposed by him to have been brought upon the ice; but of useless animals, such as sea lions and penguins, which he calls vermin, the number was incredible. He allows, however, that those who touch at these islands may find geese and snipes, and in the summer months, wild cellery and forrel.

No token was seen by either, of any settlement ever made upon this island, and Mr. Macbride thought himself so secure from hostile disturbance, that when he
erected

erected his wooden blockhouse he omitted to open the ports and loopholes.

WHEN a garrison was stationed at Port Egmont, it was necessary to try what sustenance the ground could be by culture excited to produce. A garden was prepared, but the plants that sprung up, withered away in immaturity. Some fir-seeds were sown; but though this be the native tree of rugged climates, the young firs that rose above the ground died like weaker herbage. The cold continued long, and the ocean seldom was at rest.

CATTLE succeeded better than vegetables. Goats, sheep, and hogs, that were carried thither, were found to thrive and increase as in other places.

Nil mortalibus arduum est. There is nothing which human courage will not undertake, and little that human patience will not endure. The garrison lived upon Falkland's

land's Island, shrinking from the blast, and shuddering at the billows.

THIS was a colony which could never become independent, for it never could be able to maintain itself. The necessary supplies were annually sent from England, at an expence which the Admiralty began to think would not quickly be repaid. But shame of deserting a project, and unwillingness to contend with a projector that meant well, continued the garrison, and supplied it with regular remittances of stores and provision.

THAT of which we were almost weary ourselves, we did not expect any one to envy; and therefore supposed that we should be permitted to reside in Falkland's Island, the undisputed lords of tempest-beaten barrenness.

BUT, on the 28th of November 1769, Captain Hunt, observing a Spanish schooner hovering

hovering about the island and surveying it, sent the commander a message, by which he required him to depart. The Spaniard made an appearance of obeying, but in two days came back with letters written by the governor of Port Solidad, and brought by the chief officer of a settlement on the east part of Falkland's Island.

IN this letter, dated *Malouina*, November 30, the governor complains, that Captain Hunt, when he ordered the schooner to depart, assumed a power to which he could have no pretensions, by sending an imperious message to the Spaniards in the King of Spain's own dominions.

IN another letter sent at the same time, he supposes the English to be in that part only by accident, and to be ready to depart at the first warning. This letter was accompanied by a present, of which, says he, *if it be neither equal to my desire nor*

to your merit, you must impute the deficiency to the situation of us both.

IN return to this hostile civility, Captain Hunt warned them from the island, which he claimed in the name of the King, as belonging to the English by right of the first discovery and the first settlement.

THIS was an assertion of more confidence than certainty. The right of discovery indeed has already appeared to be probable; but the right which priority of settlement confers I know not whether we yet can establish.

ON December 10, the officer sent by the governor of Port Solidad made three protests against Captain Hunt; for threatening to fire upon him; for opposing his entrance into Port Egmont; and for entering himself into Port Solidad. On the 12th the governor of Port Solidad formally warned
 Captain

Captain Hunt to leave Port Egmont, and to forbear the navigation of these seas, without permission from the King of Spain.

To this Captain Hunt replied by repeating his former claim ; by declaring that his orders were to keep possession ; and by once more warning the Spaniards to depart.

THE next month produced more protests and more replies, of which the tenour was nearly the same. The operations of such harmless enmity having produced no effect, were then reciprocally discontinued, and the English were left for a time to enjoy the pleasures of Falkland's Island without molestation.

THIS tranquillity, however, did not last long. A few months afterwards (June 4, 1770) the *Industry*, a Spanish frigate, commanded by an officer whose name was *Madariaga*, anchored in Port Egmont, bound,

as was said, for Port Solidad, and reduced, by a passage from Buenos Ayres of fifty-three days, to want of water.

THREE days afterwards four other frigates entered the port, and a broad pendant, such as is born by the commander of a naval armament, was displayed from the *Industry*. Captain Farmer of the *Swift* frigate, who commanded the garrison, ordered the crew of the *Swift* to come on shore, and assist in its defence; and directed Captain Maltby to bring the *Favourite* frigate, which he commanded, nearer to the land. The Spaniards easily discovering the purpose of his motion, let him know, that if he weighed his anchor, they would fire upon his ship; but paying no regard to these menaces, he advanced towards the shore. The Spanish fleet followed, and two shots were fired, which fell at a distance from him. He then sent to inquire the reason of such hostility, and was

told

told that the shots were intended only as signals.

BOTH the English captains wrote the next day to Madariaga the Spanish commodore, warning him from the island, as from a place which the English held by right of discovery.

MADARIAGA, who seems to have had no desire of unnecessary mischief, invited them (June 9.) to send an officer who should take a view of his forces, that they might be convinced of the vanity of resistance, and do that without compulsion which he was upon refusal prepared to enforce.

AN officer was sent, who found sixteen hundred men, with a train of twenty-seven cannon, four mortars, and two hundred bombs. The fleet consisted of five frigates from twenty to thirty guns, which were now stationed opposite to the Block-house.

HE then sent them a formal memorial, in which he maintained his master's right to the whole Magellanick region, and exhorted the English to retire quietly from the settlement, which they could neither justify by right, nor maintain by power.

HE offered them the liberty of carrying away whatever they were desirous to remove, and promised his receipt for what should be left, that no loss might be suffered by them.

HIS propositions were expressed in terms of great civility; but he concludes with demanding an answer in fifteen minutes.

HAVING while he was writing received the letters of warning written the day before by the English captains, he told them, that he thought himself able to prove the King of Spain's title to all those countries, but that this was no time for verbal alter-

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cations,

cations. He persisted in his determination, and allowed only fifteen minutes for an answer.

To this it was replied by Captain Farmer, that though there had been prescribed yet a shorter time, he should still resolutely defend his charge; that this, whether menace or force, would be considered as an insult on the British flag, and that satisfaction would certainly be required.

ON the next day (June 10.) Madariaga landed his forces, and it may be easily imagined that he had no bloody conquest. The English had only a wooden blockhouse built at Woolwich, and carried in pieces to the island, with a small battery of cannon. To contend with obstinacy had been only to lavish life without use or hope. After the exchange of a very few shots, a capitulation was proposed.

THE Spanish commander acted with moderation; he exerted little of the conqueror;

queror; what he had offered before the attack, he granted after the victory; the English were allowed to leave the place with every honour, only their departure was delayed by the terms of the capitulation twenty days; and to secure their stay, the rudder of the *Favourite* was taken off. What they desired to carry away they removed without molestation; and of what they left an inventory was drawn, for which the Spanish officer by his receipt, promised to be accountable.

Of this petty revolution, so sudden and so distant, the English ministry could not possibly have such notice as might enable them to prevent it. The conquest, if such it may be called, cost but three days; for the Spaniards, either supposing the garrison stronger than it was, or resolving to trust nothing to chance, or considering that as their force was greater, there was less danger of bloodshed, came with a power
that

that made resistance ridiculous, and at once demanded and obtained possession.

THE first account of any discontent expressed by the Spaniards was brought by Captain Hunt, who arriving at Plymouth June 3, 1770, informed the Admiralty that the island had been claimed in December by the governor of Port Solidad.

THIS claim, made by an officer of so little dignity, without any known direction from his superiors, could be considered only as the zeal or officiousness of an individual, unworthy of public notice or the formality of remonstrance.

IN August Mr. Harris, the resident at Madrid, gave notice to Lord Weymouth of an account newly brought to Cadiz, that the English were in possession of Port Guizada, the same which we call Port Egmont, in the Magellanick sea; that in

January

January they had warned away two Spanish ships; and that an armament was sent out in May from Buenos Ayres to dislodge them.

It was perhaps not yet certain that this account was true; but the information, however faithful, was too late for prevention. It was easily known, that a fleet dispatched in May had before August succeeded or miscarried.

IN October, Captain Maltby came to England, and gave the account which I have now epitomised, of his expulsion from Falkland's Islands.

FROM this moment the whole nation can witness that no time was lost. The navy was surveyed, the ships refitted, and commanders appointed; and a powerful fleet was assembled, well manned and well stored, with expedition after so long a peace per-
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haps never known before, and with vigour which after the waste of so long a war scarcely any other nation had been capable of exerting.

THIS preparation, so illustrious in the eyes of Europe, and so efficacious in its event, was obstructed by the utmost power of that noisy faction which has too long filled the kingdom, sometimes with the roar of empty menace, and sometimes with the yell of hypocritical lamentation. Every man saw, and every honest man saw with detestation, that they who desired to force their sovereign into war, endeavoured at the same time to disable him from action.

THE vigour and spirit of the ministry easily broke through all the machinations of these pygmy rebels, and our armament was quickly such as was likely to make our negotiations effectual.

THE Prince of Masseran, in his first conference with the English ministers on
this

this occasion, owned that he had from Madrid received intelligence that the English had been forcibly expelled from Falkland's Island by Buccarelli, the governor of Buenos Ayres, without any particular orders from the King of Spain. But being asked, whether in his master's name he disavowed Buccarelli's violence, he refused to answer without direction.

THE scene of negotiation was now removed to Madrid, and in September Mr. Harris was directed to demand from Grimaldi the Spanish minister the restitution of Falkland's Island, and a disavowal of Buccarelli's hostilities.

IT was to be expected that Grimaldi would object to us our own behaviour, who had ordered the Spaniards to depart from the same island. To this it was replied, That the English forces were indeed directed to warn other nations away; but if

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compliance were refused, to proceed quietly in making their settlement, and suffer the subjects of whatever power to remain there without molestation. By possession thus taken, there was only a disputable claim advanced, which might be peaceably and regularly decided, without insult and without force; and if the Spaniards had complained at the British court, their reasons would have been heard, and all injuries redressed; but that, by presupposing the justice of their own title, and having recourse to arms, without any previous notice or remonstrance, they had violated the peace, and insulted the British government; and therefore it was expected that satisfaction should be made by publick disavowal and immediate restitution.

THE answer of Grimaldi was ambiguous and cold. He did not allow that any particular orders had been given for driving the English from their settlement; but made no
scruple

scruple of declaring, that such an ejection was nothing more than the settlers might have expected; and that Buccarelli had not, in his opinion, incurred any blame, as the general injunctions to the American governors were, to suffer no incroachments on the Spanish dominions.

IN October the Prince of Masseran proposed a convention for the accommodation of differences by mutual concessions, in which the warning given to the Spaniards by Hunt should be disavowed on one side, and the violence used by Buccarelli on the other. This offer was considered as little less than a new insult, and Grimaldi was told, that injury required reparation; that when either party had suffered evident wrong, there was not the parity subsisting which is implied in conventions and contracts; that we considered ourselves as openly insulted, and demanded satisfaction plenary and unconditional.

GRIMALDI

GRIMALDI affected to wonder that we were not yet appeased by their concessions. They had, he said, granted all that was required; they had offered to restore the island in the state in which they found it; but he thought that they likewise might hope for some regard, and that the warning sent by Hunt would be disavowed.

MR. HARRIS, our minister at Madrid, insisted that the injured party had a right to unconditional reparation, and Grimaldi delayed his answer that a council might be called. In a few days orders were dispatched to Prince Masseran, by which he was commissioned to declare the King of Spain's readiness to satisfy the demands of the King of England, in expectation of receiving from him reciprocal satisfaction, by the disavowal, so often required, of Hunt's warning.

FINDING the Spaniards disposed to make no other acknowledgments, the English ministry

ministry considered a war as not likely to be long avoided. In the latter end of November private notice was given of their danger to the merchants at Cadiz, and the officers absent from Gibraltar were remanded to their posts. Our naval force was every day increased, and we made no abatement of our original demand.

THE obstinacy of the Spanish court still continued, and about the end of the year all hope of reconciliation was so nearly extinguished, that Mr. Harris was directed to withdraw, with the usual forms, from his residence at Madrid.

MODERATION is commonly firm, and firmness is commonly successful; having not swelled our first requisition with any superfluous appendages, we had nothing to yield, we therefore only repeated our first proposition, prepared for war, though desirous of peace.

ABOUT this time, as is well known, the king of France dismissed Choiseul from his employments. What effect this revolution of the French court had upon the Spanish counsels, I pretend not to be informed. Choiseul had always professed pacific dispositions, nor is it certain, however it may be suspected, that he talked in different strains to different parties.

It seems to be almost the universal error of historians to suppose it politically, as it is physically true, that every effect has a proportionate cause. In the inanimate action of matter upon matter, the motion produced can be but equal to the force of the moving power; but the operations of life, whether private or publick, admit no such laws. The caprices of voluntary agents laugh at calculation. It is not always that there is a strong reason for a great event. Obstinacy and flexibility, malignity and kindness, give place alternately to each other, and the reason of these

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vicissitudes, however important may be the consequences, often escapes the mind in which the change is made.

WHETHER the alteration which began in January to appear in the Spanish counsels had any other cause than conviction of the impropriety of their past conduct, and of the danger of a new war, it is not easy to decide; but they began, whatever was the reason, to relax their haughtiness, and Mr. Harris's departure was countermanded.

THE demands first made by England were still continued, and on January 22d, the prince of Masseran delivered a declaration, in which the king of Spain *disavows the violent enterprise of Buccarelli, and promises to restore the port and fort called Egmont, with all the artillery and stores, according to the inventory.*

To this promise of restitution is subjoined, that *this engagement to restore Port Egmont,*
cannot,

cannot, nor ought in any wise to affect the question of the prior right of sovereignty of the Malouine otherwise called Falkland's Islands.

THIS concession was accepted by the Earl of Rochford, who declared on the part of his master, that the Prince of Masseran being authorized by his Catholick Majesty, to offer in his Majesty's name, to the King of Great Britain, a satisfaction for the injury done him by dispossessing him of Port Egmont, and having signed a declaration expressing that his Catholick Majesty disavows the expedition against Port Egmont, and engages to restore it in the state in which it stood before the 10th of June 1770, his Britannick majesty will look upon the said declaration, together with the full performance of the engagement on the part of his Catholick Majesty, as a satisfaction for the injury done to the crown of Great Britain.

THIS is all that was originally demanded. The expedition is disavowed, and the island is restored. An injury is acknowledged by the reception of Lord Rochford's paper, who twice mentions the word *injury* and twice the word *satisfaction*.

THE Spaniards have stipulated that the grant of possession shall not preclude the question of prior right, a question which we shall probably make no haste to discuss, and a right of which no formal resignation was ever required. This reserve has supplied matter for much clamour, and perhaps the English ministry would have been better pleased had the declaration been without it. But when we have obtained all that was asked, why should we complain that we have not more? When the possession is conceded, where is the evil that the right, which that concession supposes to be merely hypothetical, is referred to

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the Greek Calends for a future disquisition? Were the Switzers less free or less secure, because after their defection from the house of Austria they had never been declared independent before the treaty of Westphalia? Is the King of France less a sovereign because the King of England partakes his title?

IF sovereignty implies undisputed right, scarce any prince is a sovereign through his whole dominions; if sovereignty consists in this, that no superiour is acknowledged, our King reigns at Port Egmont with sovereign authority. Almost every new acquired territory is in some degree controvertible; and till the controversy is decided, a term very difficult to be fixed, all that can be had is real possession and actual dominion.

THIS surely is a sufficient answer to the feudal gabble of a man who is every day

lessening that splendour of character which once illuminated the kingdom, then dazzled, and afterwards inflamed it; and for whom it will be happy if the nation shall at last dismiss him to nameless obscurity, with that equipoise of blame and praise which Corneille allows to Richlieu, a man who, I think, had much of his merit, and many of his faults.

Chacun parle a son gré de ce grand Cardinal,

Mais pour moi je n'en dirai rien;

Il m' a fait trop de bien pour en dire du mal,

Il m' a fait trop de mal pour en dire du bien.

To push advantages too far is neither generous nor just. Had we insisted on a concession of antecedent right, it may not misbecome us either as moralists or politicians, to consider what Grimaldi could have answered. We have already, he might say, granted you the whole effect of right, and have not denied you the name. We have not said that the right was ours before this

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concession, but only that what right we had, is not by this concession vacated. We have now for more than two centuries ruled large tracts of the American continent, by a claim which perhaps is valid only upon this consideration, that no power can produce a better; by the right of discovery and prior settlement. And by such titles almost all the dominions of the earth are holden, except that their original is beyond memory, and greater obscurity gives them greater veneration. Should we allow this plea to be annulled, the whole fabrick of our empire shakes at the foundation. When you suppose yourselves to have first descried the disputed island, you suppose what you can hardly prove. We were at least the general discoverers of the Magellanick region, and have hitherto held it with all its adjacencies. The justice of this tenure the world has hitherto admitted, and yourselves at least tacitly allowed it, when about twenty years ago you desisted from

your purposed expedition, and expressly disowned any design of settling, where you are now not content to settle and to reign, without extorting such a confession of original right, as may invite every other nation to follow you.

To considerations such as these, it is reasonable to impute that anxiety of the Spaniards, from which the importance of this island is inferred by Junius, one of the few writers of his despicable faction whose name does not disgrace the page of an opponent. The value of the thing disputed may be very different to him that gains and him that loses it. The Spaniards, by yielding Falkland's island, have admitted a precedent of what they think encroachment; have suffered a breach to be made in the outworks of their empire; and notwithstanding the reserve of prior right, have suffered a dangerous exception to the prescriptive tenure of their American territories.

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SUCH is the loss of Spain; let us now compute the profit of Britain. We have, by obtaining a disavowal of Buccarelli's expedition; and a restitution of our settlement, maintained the honour of the crown, and the superiority of our influence. Beyond this what have we acquired? What, but a bleak and gloomy solitude, an island thrown aside from human use, stormy in winter, and barren in summer; an island which not the southern savages have dignified with habitation; where a garrison must be kept in a state that contemplates with envy the exiles of Siberia; of which the expence will be perpetual, and the use only occasional; and which, if fortune smile upon our labours, may become a nest of smugglers in peace, and in war the refuge of future Buccaniers. To all this the Government has now given ample attestation, for the island has been since abandoned, and perhaps was kept only to quiet clamours, with an intention, not then wholly concealed, of quitting it in a short time.

THIS is the country of which we have now possession, and of which a numerous party pretends to wish that we had murdered thousands for the titular sovereignty. To charge any men with such madness, approaches to an accusation defeated by its own incredibility. As they have been long accumulating falsehoods, it is possible that they are now only adding another to the heap, and that they do not mean all that they profess. But of this faction what evil may not be credited? They have hitherto shewn no virtue, and very little wit, beyond that mischievous cunning for which it is held by Hale that children may be hanged.

As war is the last of remedies, *cuncta prius tentanda*, all lawful expedients must be used to avoid it. As war is the extremity of evil, it is surely the duty of those whose station intrusts them with the care of nations, to avert it from their charge.

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There are diseases of animal nature which nothing but amputation can remove; so there may, by the depravation of human passions, be sometimes a gangrene in collective life for which fire and the sword are the necessary remedies; but in what can skill or caution be better shewn than preventing such dreadful operations, while there is yet room for gentler methods?

IT is wonderful with what coolness and indifference the greater part of mankind see war commenced. Those that hear of it at a distance, or read of it in books, but have never presented its evils to their minds, consider it as little more than a splendid game, a proclamation, an army, a battle, and a triumph. Some indeed must perish in the most successful field, but they die upon the bed of honour, *resign their lives amidst the joys of conquest, and, filled with England's glory, smile in death.*

THE life of a modern soldier is ill represented by heroick fiction. War has means of destruction more formidable than the cannon and the sword. Of the thousands and ten thousands that perished in our late contests with France and Spain, a very small part ever felt the stroke of an enemy; the rest languished in tents and ships, amidst damps and putrefaction; pale, torpid, spiritless, and helpless; gasping and groaning, unpitied among men, made obdurate by long continuance of hopeless misery; and were at last whelmed in pits, or heaved into the ocean, without notice and without remembrance. By incommodious encampments and unwholesome stations, where courage is useless, and enterprise impracticable, fleets are silently dispeopled, and armies sluggishly melted away.

THUS is a people gradually exhausted, for the most part with little effect. The wars of civilized nations make very slow changes
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in the system of empire. The public perceives scarcely any alteration but an increase of debt; and the few individuals who are benefited, are not supposed to have the clearest right to their advantages. If he that shared the danger enjoyed the profit, and after bleeding in the battle grew rich by the victory, he might shew his gains without envy. But at the conclusion of a ten years war, how are we recompensed for the death of multitudes and the expence of millions, but by contemplating the sudden glories of paymasters and agents, contractors and commissaries, whose equipages shine like meteors, and whose palaces rise like exhalations.

THESE are the men who, without virtue, labour, or hazard, are growing rich as their country is impoverished; they rejoice when obstinacy or ambition adds another year to slaughter and devastation; and laugh from their desks at bravery and science, while they are adding figure to figure,

and cipher to cipher, hoping for a new contract from a new armament, and computing the profits of a siege or tempest.

THOSE who suffer their minds to dwell on these considerations will think it no great crime in the ministry that they have not snatched with eagerness the first opportunity of rushing into the field, when they were able to obtain by quiet negotiation all the real good that victory could have brought us.

OF victory indeed every nation is confident before the sword is drawn; and this mutual confidence produces that wantonness of bloodshed that has so often desolated the world. But it is evident, that of contradictory opinions one must be wrong, and the history of mankind does not want examples that may teach caution to the daring, and moderation to the proud.

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LET us not think our laurels blasted by condescending to inquire, whether we might not possibly grow rather less than greater by attacking Spain. Whether we should have to contend with Spain alone, whatever has been promised by our patriots, may very reasonably be doubted. A war declared for the empty sound of an ancient title to a Magellanick rock would raise the indignation of the earth against us. These encroachers on the waste of nature, says our ally the Russian, if they succeed in their first effort of usurpation, will make war upon us for a title to Kamschatscha. These universal settlers, says our ally the Dane, will in a short time settle upon Greenland, and a fleet will batter Copenhagen, till we are willing to confess that it always was their own.

IN a quarrel like this, it is not possible that any power should favour us, and it is very likely that some would oppose us. The
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French, we are told, are otherwise employed ; the contests between the King of France and his own subjects are sufficient to withhold him from supporting Spain. But who does not know that a foreign war has often put a stop to civil discords ? It withdraws the attention of the publick from domestick grievances, and affords opportunities of dismissing the turbulent and restless to distant employments. The Spaniards have always an argument of irresistible persuasion. If France will not support them against England, they will strengthen England against France.

BUT let us indulge a dream of idle speculation, and suppose that we are to engage with Spain, and with Spain alone ; it is not even yet very certain that much advantage will be gained. Spain is not easily vulnerable ; her kingdom, by the loss or cession of many fragments of dominion, is become solid and compact. The
Spaniards

Spaniards have indeed no fleet able to oppose us, but they will not endeavour actual opposition; they will shut themselves up in their own territories, and let us exhaust our seamen in a hopeless siege. They will give commissions to privateers of every nation, who will prey upon our merchants without possibility of reprisal. If they think their plate fleet in danger, they will forbid it to set sail, and live a while upon the credit of treasure which all Europe knows to be safe; and which, if our obstinacy should continue till they can no longer be without it, will be conveyed to them with secrecy and security by our natural enemies the French, or by the Dutch our natural allies.

BUT the whole continent of Spanish America will lie open to invasion; we shall have nothing to do but march into these wealthy regions, and make their present masters confess that they were always ours.

by ancient right. We shall throw brass and iron out of our houses, and nothing but silver will be seen among us.

ALL this is very desirable, but it is not certain that it can be easily attained. Large tracts of America were added by the last war to the British dominions; but, if the faction credit their own Apollo, they were conquered in Germany. They at best are only the barren parts of the continent, the refuse of the earlier adventurers, which the French, who came last, had taken only as better than nothing.

AGAINST the Spanish dominions we have never hitherto been able to do much. A few privateers have grown rich at their expence, but no scheme of conquest has yet been successful. They are defended not by walls mounted with cannons which by cannons may be battered, but by the storms of the deep and the vapours of the land, by the flames of calenture and blasts of pestilence.

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IN the reign of Elizabeth, the favourite period of English greatness, no enterprises against America had any other consequence than that of extending English navigation. Here Cavendish perished after all his hazards; and here Drake and Hawkins, great as they were in knowledge and in fame, having promised honour to themselves and dominion to the country, sunk by desperation and misery in dishonourable graves.

DURING the protectorship of Cromwell, a time of which the patriotick tribes still more ardently desire the return, the Spanish dominions were again attempted; but here, and only here, the fortune of Cromwell made a pause. His forces were driven from Hispaniola, his hopes of possessing the West Indies vanished, and Jamaica was taken, only that the whole expedition might not grow ridiculous.

THE attack of Carthagená is yet remembered, where the Spaniards from the ram-
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parts saw their invaders destroyed by the hostility of the elements; poisoned by the air, and crippled by the dews; where every hour swept away battalions; and in the three days that passed between the descent and re-embarkation, half an army perished.

IN the last war, the Havanna was taken, at what expence is too well remembered. May my country be never cursed with such another conquest!

THESE instances of miscarriage, and these arguments of difficulty, may perhaps abate the military ardour of the Publick. Upon the opponents of the government their operation will be different; they wish, for war, but not for conquest; victory would defeat their purposes equally with peace, because prosperity would naturally continue trust in those hands which had used it fortunately. The patriots gratified themselves

selves with expectations that some sinister accident, or erroneous conduct, might diffuse discontent and inflame malignity. Their hope is malevolence, and their good is evil.

OF their zeal for their country we have already had a specimen. While they were terrifying the nation with doubts whether it was any longer to exist; while they represented invasive armies as hovering in the clouds, and hostile fleets as emerging from the deeps; they obstructed our levies of seamen, and embarrassed our endeavours of defence. Of such men he thinks with unnecessary candour who does not believe them likely to have promoted the miscarriage which they desired, by intimidating our troops or betraying our counsels.

It is considered as an injury to the Publick by those sanguinary statesmen, that though the fleet has been refitted and man-

ned, yet no hostilities have followed; and they who sat wishing for misery and slaughter are disappointed of their pleasure. But as peace is the end of war, it is the end likewise of preparations for war; and he may be justly hunted down as the enemy of mankind, that can chuse to snatch by violence and bloodshed, what gentler means can equally obtain.

THE ministry are reproached as not daring to provoke an enemy, lest ill success should discredit and displace them. I hope that they had better reasons; that they paid some regard to equity and humanity; and considered themselves as entrusted with the safety of their fellow-subjects, and as the destroyers of all that should be superfluously slaughtered. But let us suppose that their own safety had some influence on their conduct, they will not, however, sink to a level with their enemies. Though the motive might be selfish, the act was innocent. They who grow rich by administering
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physick, are not to be numbered with them that get money by dispensing poison. If they maintain power by harmlessness and peace, they must for ever be at a great distance from ruffians who would gain it by mischief and confusion. The watch of a city may guard it for hire ; but are well employed in protecting it from those who lie in wait to fire the streets and rob the houses amidst the conflagration.

AN unsuccessful war would undoubtedly have had the effect which the enemies of the Ministry so earnestly desire ; for who could have sustained the disgrace of folly ending in misfortune ? But had wanton invasion undeservedly prospered, had Falkland's Island been yielded unconditionally with every right prior and posterior ; though the rabble might have shouted, and the windows have blazed, yet those who know the value of life, and the uncertainty of publick credit, would have mur-

mured, perhaps unheard, at the increase of our debt and the loss of our people.

THIS thirst of blood, however the visible promoters of sedition may think it convenient to shrink from the accusation, is loudly avowed by Junius, the writer to whom his party owes much of its pride, and some of its popularity. Of Junius it cannot be said, as of Ulysses, that he scatters ambiguous expressions among the vulgar; for he cries *havock* without reserve, and endeavours to let slip the dogs of foreign or of civil war, ignorant whither they are going, and careless what may be their prey.

JUNIUS has sometimes made his satire felt; but let not injudicious admiration mistake the venom of the shaft for the vigour of the bow. He has sometimes sported with lucky malice; but to him that knows his company, it is not hard to be sarcastick in a mask. While he walks like Jack the Giant-

Giant-killer in a coat of darkness, he may do much mischief with little strength. Novelty captivates the superficial and thoughtless; vehemence delights the discontented and turbulent. He that contradicts acknowledged truth will always have an audience; he that vilifies established authority will always find abettors.

JUNIUS burst into notice with a blaze of impudence which has rarely glared upon the world before, and drew the rabble after him as a monster makes a show. When he had once provided for his safety by impenetrable secrecy, he had nothing to combat but truth and justice, enemies whom he knows to be feeble in the dark. Being then at liberty to indulge himself in all the immunities of invisibility; out of the reach of danger, he has been bold; out of the reach of shame, he has been confident. As a rhetorician, he has had the art of persuading when he seconded desire; as a reasoner, he has convinced those who had no doubt

doubt before ; as a moralist, he has taught that virtue may disgrace ; and as a patriot, he has gratified the mean by insults on the high. Finding sedition ascendant, he has been able to advance it ; finding the nation combustible, he has been able to inflame it. Let us abstract from his wit the vivacity of insolence, and withdraw from his efficacy the sympathetick favour of Plebeian malignity ; I do not say that we shall leave him nothing ; the cause that I defend scorns the help of falsehood ; but if we leave him only his merit, what will be his praise ?

It is not by his liveliness of imagery, his pungency of periods, or his fertility of allusion, that he detains the cits of London, and the boors of Middlesex. Of style and sentiment they take no cognizance. They admire him for virtues like their own, for contempt of order and violence of outrage, for rage of defamation and audacity of falsehood. The Supporters of the Bill of Rights

Rights feel no niceties of composition, nor dexterities of sophistry; their faculties are better proportioned to the bawl of Bellas, or barbarity of Beckford; but they are told that Junius is on their side, and they are therefore sure that Junius is infallible. Those who know not whither he would lead them, resolve to follow him; and those who cannot find his meaning, hope he means rebellion.

JUNIUS is an unusual phænomenon, on which some have gazed with wonder and some with terrour, but wonder and terrour are transitory passions. He will soon be more closely viewed or more attentively examined, and what folly has taken for a comet that from its flaming hair shook pestilence and war, inquiry will find to be only a meteor formed by the vapours of putrefying democracy, and kindled into flame by the effervescence of interest struggling with conviction; which after having plun-

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ged its followers in a bog, will leave us inquiring why we regarded it.

YET though I cannot think the style of Junius secure from criticism, though his expressions are often trite, and his periods feeble, I should never have stationed him where he has placed himself, had I not rated him by his morals rather than his faculties. What, says Pope, must be the priest, where a monkey is the God? What must be the drudge of a party of which the heads are Wilkes and Crosby, Sawbridge and Townsend?

JUNIUS knows his own meaning and can therefore tell it. He is an enemy to the ministry, he sees them growing hourly stronger. He knows that a war at once unjust and unsuccessful would have certainly displaced them, and is therefore, in his zeal for his country, angry that war was not unjustly made, and unsuccessfully conducted. But there are others whose thoughts

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are less clearly expressed, and whose schemes perhaps are less consequentially digested; who declare that they do not wish for a rupture, yet condemn the ministry for not doing that, by which a rupture would naturally have been made.

IF one party resolves to demand what the other resolves to refuse, the dispute can be determined only by arbitration; and between powers who have no common superior, there is no other arbitrator than the sword.

WHETHER the ministry might not equitably have demanded more, is not worth a question. The utmost exertion of right is always invidious, and where claims are not easily determinable is always dangerous. We asked all that was necessary, and persisted in our first claim without mean recession, or wanton aggravation. The Spaniards found us resolute, and complied after a short struggle.

THE real crime of the ministry is, that they have found the means of avoiding their own ruin; but the charge against them is multifarious and confused, as will happen, when malice and discontent are ashamed of their complaint. The past and the future are complicated in the censure. We have heard a tumultuous clamour about honour and rights, injuries and insults, the British flag, and the Favourite's rudder, Buccarelli's conduct, and Grimaldi's declarations, the Manilla ransom, delays and reparation.

THROUGH the whole argument of the faction runs the general error, that our settlement on Falkland's Island was not only lawful but unquestionable; that our right was not only certain but acknowledged; and that the equity of our conduct was such, that the Spaniards could not blame or obstruct it without combating their own conviction, and opposing the general opinion of mankind.

IF once it be discovered that, in the opinion of the Spaniards, our settlement was usurped, our claim arbitrary, and our conduct insolent, all that has happened will appear to follow by a natural concatenation. Doubts will produce disputes and disquisition, disquisition requires delay, and delay causes inconvenience.

HAD the Spanish government immediately yielded unconditionally all that was required, we might have been satisfied; but what would Europe have judged of their submission? That they shrunk before us as a conquered people, who having lately yielded to our arms, were now compelled to sacrifice to our pride. The honour of the Publick is indeed of high importance; but we must remember that we have had to transact with a mighty King and a powerful nation, who have unluckily been taught to think that they have honour to keep or lose as well as ourselves.

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WHEN the Admiralty were told in June of the warning given to Hunt, they were, I suppose, informed that Hunt had first provoked it by warning away the Spaniards, and naturally considered one act of insolence as balanced by another, without expecting that more would be done on either side. Of representations and remonstrances there would be no end, if they were to be made whenever small commanders are uncivil to each other ; nor could peace ever be enjoyed, if upon such transient provocations it be imagined necessary to prepare for war. We might then, it is said, have increased our force with more leisure and less inconvenience ; but this is to judge only by the event. We omitted to disturb the Publick, because we did not suppose that an armament would be necessary.

SOME months afterwards, as has been told, Buccarelli, the governor of Buenos Ayres, sent against the settlement of Port Egmont

Egmont a force which ensured the conquest. The Spanish commander required the English captains to depart, but they thinking that resistance necessary which they knew to be useless, gave the Spaniards the right of prescribing terms of capitulation. The Spaniards imposed no new condition except that the sloop should not sail under twenty days ; and of this they secured the performance by taking off the rudder.

To an inhabitant of the land there appears nothing in all this unreasonable or offensive. If the English intended to keep their stipulation, how were they injured by the detention of the rudder ? If the rudder be to a ship what his tail is in fables to a fox, the part in which honour is placed, and of which the violation is never to be endured, I am sorry that the *Favourite* suffered an indignity, but cannot yet think it a cause for which nations should slaughter one another.

WHEN Buccarelli's invasion was known, and the dignity of the crown infringed, we demanded reparation and prepared for war, and we gained equal respect by the moderation of our terms, and the spirit of our exertion. The Spanish minister immediately denied that Buccarelli had received any particular orders to seize Port Egmont, nor pretended that he was justified otherwise than by the general instructions by which the American governors are required to exclude the subjects of other powers.

To have inquired whether our settlement at Port Egmont was any violation of the Spanish rights, had been to enter upon a discussion which the pertinacity of political disputants might have continued without end. We therefore called for restitution, not as a confession of right, but as a reparation of honour, which required that we should be restored to our former state
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upon the island, and that the King of Spain should disavow the action of his governor.

IN return to this demand, the Spaniards expected from us a disavowal of the menaces with which they had been first insulted by Hunt; and if the claim to the island be supposed doubtful, they certainly expected it with equal reason. This, however, was refused, and our superiority of strength gave validity to our arguments.

BUT we are told that the disavowal of the King of Spain is temporary and fallacious; that Buccarelli's armament had all the appearance of regular forces and a concerted expedition; and that he is not treated at home as a man guilty of piracy, or as disobedient to the orders of his master.

THAT the expedition was well planned, and the forces properly supplied, affords no proof of communication between the gover-

nor and his court. Those who are intrusted with the care of kingdoms in another hemisphere, must always be trusted with power to defend them.

As little can be inferred from his reception at the Spanish court. He is not punished indeed, for what has he done that deserves punishment? He was sent into America to govern and defend the dominions of Spain. He thought the English were encroaching, and drove them away. No Spaniard thinks that he has exceeded his duty, nor does the King of Spain charge him with excess. The boundaries of dominion in that part of the world have not yet been settled; and he mistook, if a mistake there was, like a zealous subject, in his master's favour.

BUT all this inquiry is superfluous. Considered as a reparation of honour, the disavowal of the King of Spain, made in
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the fight of all Europe, is of equal value, whether true or false. There is indeed no reason to question its veracity; they, however, who do not believe it, must allow the weight of that influence by which a great prince is reduced to disown his own commission.

BUT the general orders upon which the governor is acknowledged to have acted, are neither disavowed nor explained. Why the Spaniards should disavow the defence of their own territories, the warmest disputant will find it difficult to tell; and if by an explanation is meant an accurate delineation of the southern empire, and the limitation of their claims beyond the line, it cannot be imputed to any very culpable remissness, that what has been denied for two centuries to the European powers, was not obtained in a hasty wrangle about a petty settlement.

THE ministry were too well acquainted with negotiation to fill their heads with such idle expectations. The question of right was inexplicable and endless. They left it as it stood. To be restored to actual possession was easily practicable. This restoration they required and obtained.

BUT they should, say their opponents, have insisted upon more; they should have exacted not only reparation of our honour but repayment of our expence. Nor are they all satisfied with the recovery of the costs and damages of the present contest; they are for taking this opportunity of calling in old debts, and reviving our right to the ransom of Manilla,

THE Manilla ransom has, I think, been most mentioned by the inferior bellows of sedition. Those who lead the faction know that it cannot be remembered much to their advantage. The followers of Lord
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Rockingham remember that his ministry begun and ended without obtaining it; the adherents to Grenville would be told, that he could never be taught to understand our claim. The law of nations made little of his knowledge. Let him not, however, be depreciated in his grave. If he was sometimes wrong, he was often right.

OF reimbursement the talk has been more confident, though not more reasonable. The expences of war have been often desired, have been sometimes required, but were never paid; or never, but when resistance was hopeless, and there remained no choice between submission and destruction.

OF our late equipments I know not from whom the charge can be very properly expected. The king of Spain disavows the violence which provoked us to arm, and for the mischiefs which he did not do, why

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should he pay? Buccarelli, though he had learned all the arts of an East-Indian governor, could hardly have collected at Buenos Ayres a sum sufficient to satisfy our demands. If he be honest, he is hardly rich; and if he be disposed to rob, he has the misfortune of being placed where robbers have been before him.

THE king of Spain indeed delayed to comply with our proposals, and our armament was made necessary by unsatisfactory answers and dilatory debates. The delay certainly increased our expences, and it is not unlikely that the increase of our expences put an end to the delay.

BUT this is the inevitable process of human affairs. Negotiation requires time. What is not apparent to intuition must be found by inquiry. Claims that have remained doubtful for ages cannot be settled in a day. Reciprocal complaints are not easily

easily adjusted but by reciprocal compliance. The Spaniards thinking themselves entitled to the island, and injured by Captain Hunt, in their turn demanded satisfaction, which was refused; and where is the wonder if their concessions were delayed! They may tell us, that an independent nation is to be influenced not by command, but by persuasion; that if we expect our proposals to be received without deliberation, we assume that sovereignty which they do not grant us; and that if we arm while they are deliberating, we must indulge our martial ardour at our own charge.

THE English ministry asked all that was reasonable, and enforced all that they asked. Our national honour is advanced, and our interest, if any interest we have, is sufficiently secured. There can be none amongst us to whom this transaction does not seem happily concluded, but those who having fixed their hopes on public calamities,

mities, fat like vultures waiting for a day of carnage. Having worn out all the arts of domestick sedition, having wearied violence, and exhausted falsehood, they yet flattered themselves with some assistance from the pride or malice of Spain; and when they could no longer make the people complain of grievances which they did not feel, they had the comfort yet of knowing that real evils were possible, and their resolution is well known of charging all evil on their governours.

THE reconciliation was therefore considered as the loss of their last anchor; and received not only with the fretfulness of disappointment but the rage of desperation. When they found that all were happy in spite of their machinations, and the soft effulgence of peace shone out upon the nation, they felt no motion but that of fullen envy; they could not, like Milton's prince of hell, abstract themselves a moment from their evil; as they have not

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the wit of Satan, they have not his virtue; they tried once again what could be done by sophistry without art, and confidence without credit. They represented their Sovereign as dishonoured and their country as betrayed, or, in their fiercer paroxysms of fury, reviled their Sovereign as betraying it.

THEIR pretences I have here endeavoured to expose, by showing that more than has been yielded was not to be expected, that more perhaps was not to be desired, and that if all had been refused, there had scarcely been an adequate reason for a war.

THERE was perhaps never much danger of war or of refusal, but what danger there was, proceeded from the faction. Foreign nations, unacquainted with the insolence of Common Councils, and unaccustomed to the howl of Plebeian patriotism, when they heard of rabbles and riots, of petitions and remon-

remonstrances, of discontent in Surrey, Derbyshire, and Yorkshire, when they saw the chain of subordination broken, and the legislature threatened and defied, naturally imagined that such a government had little leisure for Falkland's Island; they supposed that the English when they returned ejected from Port Egmont, would find Wilkes invested with the protectorate; or see the mayor of London, what the French have formerly seen their mayors of the palace, the commander of the army and tutor of the King; that they would be called to tell their tale before the Common Council; and that the world was to expect war or peace from a vote of the subscribers to the Bill of Rights.

BUT our enemies have now lost their hopes, and our friends I hope are recovered from their fears. To fancy that our government can be subverted by the rabble, whom its lenity has pampered into impudence,

dence, is to fear that a city may be drowned by the overflowing of its kennels. The distemper which cowardice or malice thought either decay of the vitals, or resolution of the nerves, appears at last to have been nothing more than a political *phthiriasis*, a disease too loathsome for a plainer name; but the effect of negligence rather than of weakness, and of which the shame is greater than the danger.

AMONG the disturbers of our quiet are some animals of greater bulk, whom their power of roaring persuaded us to think formidable, but we now perceive that sound and force do not always go together. The noise of a savage proves nothing but his hunger.

AFTER all our broils, foreign and domestick, we may at last hope to remain awhile in quiet, amused with the view of our own success. We have gained politi-

cal strength by the increase of our reputation ; we have gained real strength by the reparation of our navy ; we have shewn Europe that ten years of war have not yet exhausted us ; and we have enforced our settlement on an island on which twenty years ago we durst not venture to look.

THESE are the gratifications only of honest minds ; but there is a time in which hope comes to all. From the present happiness of the publick the patriots themselves may derive advantage. To be harmless though by impotence obtains some degree of kindness ; no man hates a worm as he hates a viper ; they were once dreaded enough to be detested, as serpents that could bite ; they have now shewn that they can only hiss, and may therefore quietly slink into holes, and change their slough unmolested and forgotten.

March, 1771.

Handwritten text at the top of the page, partially obscured by the printed title. It appears to be a dedication or preface, mentioning the year 1774 and the Electors of Great Britain.

THE
P A T R I O T.

Addressed to the

ELECTORS of GREAT BRITAIN.

THEY bawl for Freedom in their senseless mood,
Yet still revolt when Truth would set them free,
Licence they mean, when they cry Liberty,
For who loves that must first be wise and good.

MILTON.

[1774.]

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T H E
P A T R I O T.

TO improve the golden moment of opportunity, and catch the good that is within our reach, is the great art of life. Many wants are suffered, which might once have been supplied ; and much time is lost in regretting the time which had been lost before.

At the end of every seven years comes the Saturnalian season, when the freemen of Great Britain may please themselves with the choice of their representatives. This happy day has now arrived, somewhat sooner than it could be claimed.

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To select and depute those, by whom laws are to be made, and taxes to be granted, is a high dignity and an important trust: and it is the business of every elector to consider, how this dignity may be well sustained, and this trust faithfully discharged.

It ought to be deeply impressed on the minds of all who have voices in this national deliberation, that no man can deserve a seat in parliament who is not a PATRIOT. No other man will protect our rights, no other man can merit our confidence.

A PATRIOT is he whose public conduct is regulated by one single motive, the love of his country; who, as an agent in parliament, has for himself, neither hope nor fear, neither kindness nor resentment, but refers every thing to the common interest.

THAT

THAT of five hundred men, such as this degenerate age affords, a majority can be found thus virtuously abstracted, who will affirm? Yet there is no good in despondence: vigilance and activity often effect more than was expected. Let us take a Patriot where we can meet him; and that we may not flatter ourselves by false appearances, distinguish those marks which are certain, from those which may deceive: for a man may have the external appearance of a Patriot, without the constituent qualities; as false coins have often lustre, tho' they want weight.

SOME claim a place in the list of Patriots by an acrimonious and unremitting opposition to the Court.

THIS mark is by no means infallible. Patriotism is not necessarily included in rebellion. A man may hate his King, yet not love his Country. He that has been

refused a reasonable or unreasonable request, who thinks his merit under-rated, and sees his influence declining, begins soon to talk of natural equality, the absurdity of *many made for one*, the original compact, the foundation of authority, and the majesty of the people. As his political melancholy increases, he tells, and perhaps dreams of the advances of the prerogative, and the dangers of arbitrary power; yet his design in all his declamation is not to benefit his country, but to gratify his malice.

THESE, however, are the most honest of the opponents of government; their patriotism is a species of disease; and they feel some part of what they express. But the greater, far the greater number of those who rave and rail, and inquire and accuse, neither suspect nor fear, nor care for the Public; but hope to force their way to riches by virulence and invective, and

and are vehement and clamorous, only that they may be sooner hired to be silent.

A MAN sometimes starts up a Patriot, only by diffeminating discontent and propagating reports of secret influence, of dangerous counsels, of violated rights and encroaching usurpation.

THIS practice is no certain note of Patriotism. To instigate the populace with rage beyond the provocation, is to suspend public happiness, if not to destroy it. He is no lover of his country, that unnecessarily disturbs its peace. Few errors, and few faults of government can justify an appeal to the rabble; who ought not to judge of what they cannot understand, and whose opinions are not propagated by reason, but caught by contagion.

THE fallaciousness of this note of patriotism is particularly apparent, when the

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clamour

clamour continues after the evil is past. They who are still filling our ears with Mr. Wilkes, and the Freeholders of Middlesex, lament a grievance, that is now at an end. Mr. Wilkes may be chosen, if any will choose him, and the precedent of his exclusion makes not any honest, or any decent man, think himself in danger.

It may be doubted whether the name of a Patriot can be fairly given as the reward of secret satire, or open outrage. To fill the news-papers with sly hints of corruption and intrigue, to circulate the Middlesex Journal and London Pacquet, may indeed be zeal; but it may likewise be interest and malice. To offer a petition, not expected to be granted; to insult a King with a rude remonstrance, only because there is no punishment for legal insolence, is not courage, for there is no danger; nor patriotism, for it tends

the subversion of order, and lets wickedness loose upon the land, by destroying the reverence due to sovereign authority.

IT is the quality of Patriotism to be jealous and watchful, to observe all secret machinations, and to see public dangers at a distance. The true *Lover of his country* is ready to communicate his fears and to sound the alarm, whenever he perceives the approach of mischief. But he sounds no alarm, when there is no enemy: he never terrifies his countrymen till he is terrified himself. The patriotism therefore may be justly doubted of him, who professes to be disturbed by incredibilities; who tells, that the last peace was obtained by bribing the Princess of Wales; that the King is grasping at arbitrary power; and that because the French in the new conquests enjoy their own laws, there is a design at court of abolishing in England the trial by juries.

STILL less, does the true Patriot circulate opinions which he knows to be false. No man, who loves his country, fills the nation with clamorous complaints, that the Protestant religion is in danger, because *Popery is established in the extensive province of Quebec*, a falsehood so open and shameless, that it can need no confutation among those who know that of which it is almost impossible for the most unenlightened zealot to be ignorant,

THAT Quebec is on the other side of the Atlantic, at too great a distance to do much good or harm to the European world:

THAT the inhabitants, being French, were always Papists, who are certainly more dangerous as enemies, than as subjects:

THAT though the province be wide, the people are few, probably not so many

as may be found in one of the larger English counties :

THAT persecution is not more virtuous in a Protestant than a Papist; and that while we blame Lewis the Fourteenth, for his dragoons and his gallies, we ought, when power comes into our hands, to use it with greater equity :

THAT when Canada with its inhabitants was yielded, the free enjoyment of their religion was stipulated; a condition, of which King William, who was no propagator of Popery, gave an example nearer home, at the surrender of Limerick :

THAT in an age, where every mouth is open for *liberty of conscience*, it is equitable to shew some regard to the conscience of a Papist, who may be supposed, like other men, to think himself safest in his own religion; and that those at least, who
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enjoy a toleration, ought not to deny it to our new subjects.

IF liberty of conscience be a natural right, we have no power to withhold it; if it be an indulgence, it may be allowed to Papists, while it is not denied to other sects.

A PATRIOT is necessarily and invariably a lover of the people. But even this mark may sometimes deceive us.

THE people is a very heterogeneous and confused mass of the wealthy and the poor, the wise and the foolish, the good and the bad. Before we confer on a man, who cares for the people, the title of Patriot, we must examine to what part of the people he directs his notice. It is proverbially said, that he who dissembles his own character, may be known by that of his companions. If
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the candidate of Patriotism endeavours to infuse right opinions into the higher ranks, and by their influence to regulate the lower; if he consorts chiefly with the wise, the temperate, the regular, and the virtuous, his love of the people may be rational and honest. But if his first or principal application be to the indigent, who are always inflammable; to the weak, who are naturally suspicious; to the ignorant, who are easily misled; and to the profligate, who have no hope but from mischief and confusion; let his love of the people be no longer boasted. No man can reasonably be thought a lover of his country, for roasting an ox, or burning a boot, or attending the meeting at Mile-End, or registering his name in the Lumber-Troop. He may, among the drunkards be a *bearty fellow*, and among sober handicraftsmen, a *free-spoken gentleman*; but he must have some better distinction before he is a *Patriot*.

A PATRIOT is always ready to countenance the just claims, and animate the reasonable hopes of the people; he reminds them frequently of their rights, and stimulates them to resent encroachments, and to multiply securities.

BUT all this may be done in appearance, without real patriotism. He that raises false hopes to serve a present purpose, only makes a way for disappointment and discontent. He who promises to endeavour, what he knows his endeavours unable to effect, means only to delude his followers by an empty clamour of ineffectual zeal.

A TRUE Patriot is no lavish promiser: he undertakes not to shorten parliaments; to repeal laws; or to change the mode of representation, transmitted by our ancestors: he knows that futurity is not in his power, and that all times are not alike favourable to change.

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MUCH less does he make a vague and indefinite promise of obeying the mandates of his constituents. He knows the prejudices of faction, and the inconstancy of the multitude. He would first inquire, how the opinion of his constituents shall be taken. Popular instructions are commonly the work, not of the wise and steady, but the violent and rash; meetings held for directing representatives are seldom attended but by the idle and the dissolute; and he is not without suspicion, that of his constituents, as of other numbers of men, the smaller part may often be the wiser.

HE considers himself as deputed to promote the publick good, and to preserve his constituents, with the rest of his countrymen, not only from being hurt by others, but from hurting themselves.

THE common marks of patriotism having been examined, and shewn to be such

as artifice may counterfeit, or folly misapply, it cannot be improper to consider, whether there are not some characteristical modes of speaking or acting, which may prove a man to be NOT A PATRIOT.

IN this inquiry, perhaps clearer evidence may be discovered, and firmer persuasion attained; for it is commonly easier to know what is wrong than what is right; to find what we should avoid, than what we should pursue.

As war is one of the heaviest of national evils, a calamity, in which every species of misery is involved; as it sets the general safety to hazard, suspends commerce, and desolates the country; as it exposes great numbers to hardships, dangers, captivity, and death; no man, who desires the publick prosperity, will inflame general resentment by aggravating minute injuries,

or

or enforcing disputable rights of little importance.

IT may therefore be safely pronounced, that those men are no Patriots, who when the national honour was vindicated in the fight of Europe, and the Spaniards having invaded what they call their own, had shrunk to a disavowal of their attempt and a relaxation of their claim, would still have ~~have~~ instigated us to a war for a bleak and barren spot in the Magellanic ocean, of which no use could be made unless it were a place of exile for the hypocrites of patriotism.

YET let it not be forgotten, that by the howling violence of patriotic rage, the nation was for a time exasperated to such madness, that for a barren rock, under a stormy sky, we might have now been fighting and dying, had not our competi-
tors

*Falkland Islands which after
being accommodated January 1771.*

tors been wiser than ourselves; and those who are now courting the favour of the people by noisy professions of public spirit, would, while they were counting the profits of their artifice, have enjoyed the patriotic pleasure of hearing sometimes, that thousands had been slaughtered in a battle, and sometimes that a navy had been dispeopled by poisoned air and corrupted food.

HE that wishes to see his country robbed of its rights, cannot be a Patriot.

THAT man therefore is no Patriot, who justifies the ridiculous claims of American usurpation; who endeavours to deprive the nation of its natural and lawful authority over its own colonies; those colonies, which were settled under English protection; were constituted by an English charter; and have been defended by English arms.

To suppose, that by sending out a colony, the nation established an independent power; that

that when, by indulgence and favour, emigrants are become rich, they shall not contribute to their own defence, but at their own pleasure; and that they shall not be included, like millions of their fellow-subjects, in the general system of representation; involves such an accumulation of absurdity, as nothing but the shew of patriotism could palliate.

HE that accepts protection, stipulates obedience. We have always protected the Americans; we may therefore subject them to government.

THE less is included in the greater. That power which can take away life, may seize upon property. The parliament may enact for America a law of capital punishment; it may therefore establish a mode and proportion of taxation.

BUT there are some who lament the state of the poor Bostonians, because they
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cannot all be supposed to have committed acts of rebellion, yet all are involved in the penalty imposed. This, they say, is to violate the first rule of justice, by condemning the innocent to suffer with the guilty.

THIS deserves some notice, as it seems dictated by equity and humanity, however it may raise contempt, by the ignorance which it betrays of the state of man, and the system of things. That the innocent should be confounded with the guilty, is undoubtedly an evil; but it is an evil which no care or caution can prevent. National crimes require national punishments, of which many must necessarily have their part, who have not incurred them by personal guilt. If rebels should fortify a town, the cannon of lawful authority will endanger equally the harmless burghers and the criminal garrison.

IN some cases, those suffer most who are least intended to be hurt. If the French in the late war had taken an English city, and permitted the natives to keep their dwellings, how could it have been recovered, but by the slaughter of our friends? A bomb might as well destroy an Englishman as a Frenchman; and by famine we know that the inhabitants would be the first that should perish.

THIS infliction of promiscuous evil may therefore be lamented, but cannot be blamed. The power of lawful government must be maintained; and the miseries which rebellion produces, can be charged only on the rebels.

THAT man likewise is *not a Patriot*, who denies his governors their due praise, and who conceals from the people the benefits which they receive. Those therefore can lay no claim to this illustrious appella-

tion, who impute want of public spirit to the late parliament; an assembly of men, whom, notwithstanding some fluctuation of counsel, and some weakness of agency, the nation must always remember with gratitude, since it is indebted to them for a very ample concession in the resignation of protections, and a wise and honest attempt to improve the constitution, in the new judicature instituted for the trial of elections.

THE right of protection, which might be necessary when it was first claimed, and was very consistent with that liberality of immunities in which the feudal constitution delighted, was by its nature liable to abuse, and had in reality been sometimes misapplied, to the evasion of the law and the defeat of justice. The evil was perhaps not adequate to the clamour; nor is it very certain, that the possible good of this privilege was not more than equal to the possible evil. It is however plain, that whe-

ther

It was introduced in 1774, between which and the meeting of the next Parliament on the 2^d Novem^r 1774 the first edition of this pamphlet

ther they gave any thing or not to the Public, they at least lost something from themselves. They divested their dignity of a very splendid distinction, and shewed that they were more willing than their predecessors to stand on a level with their fellow subjects.

THE new mode of trying elections, if it be found effectual, will diffuse its consequences further than seems yet to be foreseen. It is, I believe, generally considered as advantageous only to those who claim seats in parliament; but, if to chuse representatives be one of the most valuable rights of Englishmen, every voter must consider that law as adding to his happiness, which makes his suffrage efficacious; since it was vain to chuse, while the election could be controlled by any other power.

WITH what imperious contempt of ancient rights, and what audaciousness of

arbitrary authority, former parliaments have judged the disputes about elections, it is not necessary to relate. The claim of a candidate, and the right of electors are said scarcely to have been, even in appearance, referred to conscience; but to have been decided by party, by passion, by prejudice, or by frolic. To have friends in the borough was of little use to him, who wanted friends in the house; a pretence was easily found to evade a majority, and the seat was at last his, that was chosen not by his electors, but his fellow-se-nators.

THUS the nation was insulted with a mock election, and the parliament was filled with spurious representatives; one of the most important claims, that of a right to sit in the supreme council of the kingdom, was debated in jest, and no man could be confident of success from the justice of his cause.

A DISPUTED election is now tried with the same scrupulousness and solemnity, as any other title. The candidate that has deserved well of his neighbours, may now be certain of enjoying the effect of their approbation; and the elector, who has voted honestly for known merit, may be certain that he has not voted in vain.

SUCH was the parliament, which some of those, who are now aspiring to sit in another, have taught the rabble to consider as an unlawful convention of men, worthless, venal, and prostitute, slaves of the court, and tyrants of the people.

THAT the next House of Commons may act upon the principles of the last, with more constancy and higher spirit, must be the wish of all who wish well to the Publick; and it is surely not too much to expect, that the nation will recover from its delusion, and unite in a general abhorrence of those who, by deceiving the cre-

dulous with fictitious mischiefs, overbearing the weak by audacity of falsehood, by appealing to the judgment of ignorance, and flattering the vanity of meannesses, by flandering honesty and insulting dignity, have gathered round them whatever the kingdom can supply of base, and gross, and profligate; and *raised by merit to this bad eminence*, arrogate to themselves the name of PATRIOTS.

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... have gathered round them whatever the
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... and ... **AN** **S** **W** **E** **R** ...

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TO THE

RESOLUTIONS AND ADDRESS

OF THE

AMERICAN CONGRESS.

[1775.]

*Brilliant & correct ...
 ... the ...
 ... the ...
 ... the ...
 ... the ...*

NOTAXA

NOTAXA is a new type of paper
which is made from a special
process. It is very strong and
durable. It is also very
cheap. It is a good choice
for many different uses.

NOTAXA is a new type of paper
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for many different uses.

T A X A T I O N

N O T Y R A N N Y.

IN all the parts of human knowledge, whether terminating in science merely speculative, or operating upon life private or civil, are admitted some fundamental principles, or common axioms, which being generally received are little doubted, and being little doubted have been rarely proved.

OF these gratuitous and acknowledged truths it is often the fate to become less evident by endeavours to explain them, however necessary such endeavours may be made by the misapprehensions of absurdity, or the sophistries of interest. It is difficult to prove the principles of science, because

because notions cannot always be found more intelligible than those which are questioned. It is difficult to prove the principles of practice, because they have for the most part not been discovered by investigation, but obtruded by experience, and the demonstrator will find, after an operose deduction, that he has been trying to make that seen which can be only felt.

OF this kind is the position, that *the supreme power of every community has the right of requiring from all its subjects such contributions as are necessary to the public safety or public prosperity, which was considered by all mankind as comprising the primary and essential condition of all political society, till it became disputed by those zealots of anarchy, who have denied to the Parliament of Britain the right of taxing the American Colonies.*

IN favour of this exemption of the Americans from the authority of their
lawful

lawful sovereign, and the dominion of their mother-country, very loud clamours have been raised, and many wild assertions advanced, which by such as borrow their opinions from the reigning fashion have been admitted as arguments; and what is strange, though their tendency is to lessen English honour, and English power, have been heard by English-men with a wish to find them true. Passion has in its first violence controlled interest, as the eddy for a while runs against the stream.

To be prejudiced is always to be weak; yet there are prejudices so near to laudable, that they have been often praised, and are always pardoned. To love their country has been considered as virtue in men, whose love could not be otherwise than blind, because their preference was made without a comparison; but it has never been my fortune to find, either in ancient or modern writers, any honourable mention of those,

those, who have with equal blindness hated their country.

THESE antipatriotic prejudices are the abortions of Folly impregnated by Faction, which being produced against the standing order of Nature, have not strength sufficient for long life. They are born only to scream and perish, and leave those to contempt or detestation, whose kindness was employed to nurse them into mischief.

To perplex the opinion of the Publick many artifices have been used, which, as usually happens when falsehood is to be maintained by fraud, lose their force by counteracting one another.

THE nation is sometimes to be mollified by a tender tale of men, who fled from tyranny to rocks and deserts, and is persuaded to lose all claims of justice, and all sense of dignity, in compassion for a harm-

less people, who having worked hard for bread in a wild country, and obtained by the slow progression of manual industry the accommodations of life, are now invaded by unprecedented oppression, and plundered of their properties by the harpies of taxation.

WE are told how their industry is obstructed by unnatural restraints, and their trade confined by rigorous prohibitions; how they are forbidden to enjoy the products of their own soil, to manufacture the materials which Nature spreads before them, or to carry their own goods to the nearest market: and surely the generosity of English virtue will never heap new weight upon those that are already overladen, will never delight in that dominion, which cannot be exercised but by cruelty and outrage.

BUT while we are melting in silent sorrow, and in the transports of delirious
pity

pity dropping both the sword and balance from our hands, another friend of the Americans thinks it better to awaken another passion, and tries to alarm our interest, or excite our veneration, by accounts of their greatness and their opulence, of the fertility of their land, and the splendour of their towns. We then begin to consider the question with more evenness of mind, are ready to conclude that those restrictions are not very oppressive which have been found consistent with this speedy growth of prosperity, and begin to think it reasonable that they, who thus flourish under the protection of our government, should contribute something towards its expence.

BUT we are soon told that the Americans, however wealthy, cannot be taxed; that they are the descendants of men who left all for liberty, and that they have constantly preserved the principles and stubbornness

bornness of their progenitors; that they are too obstinate for persuasion, and too powerful for constraint; that they will laugh at argument, and defeat violence; that the continent of North America contains three millions, not of men merely, but of Whigs, of Whigs fierce for liberty, and disdainful of dominion; that they multiply with the fecundity of their own rattle-snakes, so that every quarter of a century doubles their numbers.

MEN accustomed to think themselves masters do not love to be threatened. This talk is, I hope, commonly thrown away, or raises passions different from those which it was intended to excite. Instead of terrifying the English hearer to tame acquiescence, it disposes him to hasten the experiment of bending obstinacy before it is become yet more obdurate, and convinces him that it is necessary to attack a nation thus prolific while we may yet hope to prevail.

vail. When he is told through what extent of territory we must travel to subdue them, he recollects how far, a few years ago, we travelled in their defence. When it is urged that they will shoot up like the Hydra, he naturally considers how the Hydra was destroyed.

NOTHING dejects a trader like the interruption of his profits. A commercial people, however magnanimous, shrinks at the thought of declining traffick, and an unfavourable balance. The effect of this terrour has been tried. We have been stunned with the importance of our American commerce, and heard of merchants with warehouses that are never to be emptied, and of manufacturers starving for want of work.

THAT our commerce with America is profitable, however less than ostentatious or deceitful estimates have made it, and that
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it is our interest to preserve it, has never been denied; but surely it will most effectually be preserved, by being kept always in our own power. Concessions may promote it for a moment, but superiority only can ensure its continuance. There will always be a part, and always a very large part of every community that have no care but for themselves, and whose care for themselves reaches little farther than impatience of immediate pain, and eagerness for the nearest good. The blind are said to feel with peculiar nicety. They who look but little into futurity, have perhaps the quickest sensation of the present. A merchant's desire is not of glory, but of gain; not of publick wealth, but of private emolument; he is therefore rarely to be consulted about war and peace, or any designs of wide extent and distant consequence.

YET this, like other general characters, will sometimes fail. The traders of *Birmingham* have rescued themselves from all imputation of narrow selfishness by a manly recommendation to Parliament of the rights and dignity of their native country.

To these men I do not intend to ascribe an absurd and enthusiastick contempt of interest, but to give them the rational and just praise of distinguishing real from seeming good, of being able to see through the cloud of interposing difficulties, to the lasting and solid happiness of victory and settlement.

LEST all these topicks of persuasion should fail, the great actor of patriotism has tried another, in which terrour and pity are happily combined, not without a proper superaddition of that admiration which latter ages have brought into the drama.

drama. The heroes of Boston he tells us, if the stamp act had not been repealed, would have left their town, their port, and their trade, have resigned the splendour of opulence, and quitted the delights of neighbourhood, to disperse themselves over the country, where they would till the ground, and fish in the rivers, and range the mountains, AND BE FREE.

THESE surely are brave words. If the mere sound of freedom can operate thus powerfully, let no man hereafter doubt the story of the Pied Piper. *The removal of the people of Boston into the country, seems even to the congress not only difficult in its execution, but important in its consequences.* The difficulty of execution is best known to the Bostonians themselves; the consequence, alas! will only be, that they will leave good houses to wiser men.

YET, before they quit the comforts of a warm home for the sounding something which they think better, he cannot be thought their enemy who advises them to consider well whether they shall find it. By turning fishermen or hunters, woodmen or shepherds they may become wild, but it is not so easy to conceive them free; for who can be more a slave than he that is driven by force from the comforts of life, is compelled to leave his house to a casual comer, and whatever he does, or wherever he wanders, finds every moment some new testimony of his own subjection? If choice of evil be freedom, the felon in the galleys has his option of labour or of stripes. The Bostonian may quit his house to starve in the fields; his dog may refuse to set, and smart under the lash, and they may then congratulate each other upon the smiles of liberty, *profuse of blifs, and pregnant with delight.*

To treat such designs as serious, would be to think too contemptuously of Bostonian understandings. The artifice indeed is not new: the bluffer who threatened in vain to destroy his opponent, has sometimes obtained his end, by making it believe that he would hang himself.

BUT terrors and pity are not the only means by which the taxation of the Americans is opposed. There are those who profess to use them only as auxiliaries to reason and justice, who tell us, that to tax the Colonies is usurpation and oppression, an invasion of natural and legal rights, and a violation of those principles which support the constitution of English government.

THIS question is of great importance. That the Americans are able to bear taxation is indubitable; that their refusal may

be over-ruled is highly probable : but power is no sufficient evidence of truth. Let us examine our own claim, and the objections of the recusants, with caution proportioned to the event of the decision, which must convict one part of robbery, or the other of rebellion.

A TAX is a payment exacted by authority from part of the community for the benefit of the whole. From whom, and in what proportion such payment shall be required, and to what uses it shall be applied, those only are to judge to whom government is intrusted. In the British dominion taxes are apportioned, levied, and appropriated by the states assembled in parliament.

OF every empire all the subordinate communities are liable to taxation, because they all share the benefits of government, and therefore ought all to furnish their proportion of the expence.

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THIS the Americans have never openly denied. That it is their duty to pay the cost of their own safety they seem to admit; nor do they refuse their contribution to the exigencies, whatever they may be, of the British empire; but they make this participation of the public burden a duty of very uncertain extent, and imperfect obligation, a duty temporary, occasional, and elective, of which they reserve to themselves the right of settling the degree, the time, and the duration, of judging when it may be required, and when it has been performed.

THEY allow to the supreme power nothing more than the liberty of notifying to them its demands or its necessities. Of this notification they profess to think for themselves, how far it shall influence their counsels, and of the necessities alleged, how far they shall endeavour to relieve them. They assume the exclusive power of settling not only the mode, but the quantity

quantity of this payment. They are ready to co-operate with all the other dominions of the king; but they will co-operate by no means which they do not like, and at no greater charge than they are willing to bear.

THIS claim, wild as it may seem, this claim, which supposes dominion without authority, and subjects without subordination, has found among the libertines of policy many clamorous and hardy vindicators. The laws of Nature, the rights of humanity, the faith of charters, the danger of liberty, the encroachments of usurpation, have been thundered in our ears, sometimes by interested faction, and sometimes by honest stupidity.

IT is said by Fontenelle, that if twenty philosophers shall resolutely deny that the presence of the sun makes the day, he will not despair but whole nations may adopt

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the opinion. So many political dogmatists have denied to the Mother-country the power of taxing the Colonies, and have enforced their denial with so much violence of outcry, that their sect is already very numerous, and the publick voice suspends its decision.

IN moral and political questions the contest between interest and justice has been often tedious and often fierce, but perhaps it never happened before, that justice found much opposition with interest on her side.

FOR the satisfaction of this inquiry, it is necessary to consider how a Colony is constituted, what are the terms of migration as dictated by Nature, or settled by compact, and what social or political rights the man loses, or acquires, that leaves his country to establish himself in a distant plantation.

OF two modes of migration the history of mankind informs us, and so far as I can yet discover, of two only.

IN countries where life was yet unadjusted, and policy unformed, it sometimes happened that by the dissensions of heads of families, by the ambition of daring adventurers, by some accidental pressure of distress, or by the mere discontent of idleness, one part of the community broke off from the rest, and numbers, greater or smaller, forsook their habitations, put themselves under the command of some favourite of fortune, and with or without the consent of their countrymen or governors, went out to see what better regions they could occupy, and in what place, by conquest or by treaty, they could gain a habitation.

SONS of enterprise like these, who committed to their own swords their hopes and
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their lives, when they left their country, became another nation, with designs and prospects, and interests, of their own. They looked back no more to their former home; they expected no help from those whom they had left behind; if they conquered, they conquered for themselves; if they were destroyed, they were not by any other power either lamented or revenged.

Of this kind seem to have been all the migrations of the early world, whether historical or fabulous, and of this kind were the eruptions of those nations which from the North invaded the Roman empire, and filled Europe with new sovereignties.

BUT when, by the gradual admission of wiser laws and gentler manners, society became more compacted and better regulated, it was found that the power of every

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every people consisted in union, produced by one common interest, and operating in joint efforts and consistent councils.

FROM this time Independence perceptibly wasted away. No part of the nation was permitted to act for itself. All now had the same enemies and the same friends; the Government protected individuals, and individuals were required to refer their designs to the prosperity of the Government.

BY this principle it is, that states are formed and consolidated. Every man is taught to consider his own happiness as combined with the public prosperity, and to think himself great and powerful, in proportion to the greatness and power of his **Governors.**

HAD the Western continent been discovered between the fourth and tenth century, when all the Northern world was in motion;

tion; and had navigation been at that time sufficiently advanced to make so long a passage easily practicable, there is little reason for doubting but the intumescence of nations would have found its vent, like all other expansive violence, where there was least resistance; and that Huns and Vandals, instead of fighting their way to the South of Europe, would have gone by thousands and by myriads under their several chiefs to take possession of regions smiling with pleasure and waving with fertility, from which the naked inhabitants were unable to repel them.

EVERY expedition would in those days of laxity have produced a distinct and independent state. The Scandinavian heroes might have divided the country among them, and have spread the feudal subdivision of regality from Hudson's Bay to the Pacific Ocean.

BUT

BUT Columbus came five or six hundred years too late for the candidates of sovereignty. When he formed his project of discovery, the fluctuations of military turbulence had subsided, and Europe began to regain a settled form, by established government and regular subordination. No man could any longer erect himself into a chieftain, and lead out his fellow-subjects by his own authority to plunder or to war. He that committed any act of hostility by land or sea, without the commission of some acknowledged sovereign, was considered by all mankind as a robber or a pirate, names which were now of little credit, and of which therefore no man was ambitious.

COLUMBUS in a remoter time would have found his way to some discontented Lord, or some younger brother of a petty Sovereign, who would have taken fire at his proposal, and have quickly kindled
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with equal heat a troop of followers ; they would have built ships, or have seized them, and have wandered with him at all adventures as far as they could keep hope in their company. But the age being now past of vagrant excursion and fortuitous hostility, he was under the necessity of travelling from court to court, scorned and repulsed as a wild projector, an idle promiser of kingdoms in the clouds : nor has any part of the world yet had reason to rejoice that he found at last reception and employment.

IN the same year, in a year hitherto disastrous to mankind, by the Portuguese was discovered the passage of the Indies, and by the Spaniards the coast of America. The nations of Europe were fired with boundless expectation, and the discoverers pursuing their enterprise, made conquests in both hemispheres of wide extent. But the adventurers were contented with plunder ;

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though they took gold and silver to themselves, they seized islands and kingdoms in the name of their Sovereigns. When a new region was gained, a governour was appointed by that power which had given the commission to the conqueror; nor have I met with any European but Stukeley of London, that formed a design of exalting himself in the newly found countries to independent dominion.

To secure a conquest, it was always necessary to plant a colony, and territories thus occupied and settled were rightly considered as mere extensions or processes of empire; as ramifications which by the circulation of one publick interest communicated with the original source of dominion, and which were kept flourishing and spreading by the radical vigour of the Mother-country.

THE Colonies of England differ no otherwise from those of other nations, than as
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the English constitution differs from theirs. All Government is ultimately and essentially absolute, but subordinate societies may have more immunities, or individuals greater liberty, as the operations of Government are differently conducted. An Englishman in the common course of life and action feels no restraint. An English Colony has very liberal powers of regulating its own manners and adjusting its own affairs. But an English individual may by the supreme authority be deprived of liberty, and a Colony divested of its powers, for reasons of which that authority is the only judge.

IN sovereignty there are no gradations. There may be limited royalty, there may be limited consulship; but there can be no limited government. There must in every society be some power or other from which there is no appeal, which admits no restrictions, which pervades the whole mass of the community, regulates and adjusts all

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subordination, enacts laws or repeals them, erects or annuls judicatures, extends or contracts privileges, exempt itself from question or control, and bounded only by physical necessity.

By this power, wherever it subsists, all legislation and jurisdiction is animated and maintained. From this all legal rights are emanations, which, whether equitably or not, may be legally recalled. It is not infallible, for it may do wrong; but it is irresistible, for it can be resisted only by rebellion, by an act which makes it questionable what shall be thenceforward the supreme power.

AN English Colony is a number of persons, to whom the King grants a Charter permitting them to settle in some distant country, and enabling them to constitute a Corporation, enjoying such powers as the Charter grants, to be administered in such forms as the Charter prescribes. As a

Corporation

Corporation they make laws for themselves, but as a Corporation subsisting by a grant from higher authority, to the control of that authority they continue subject.

As men are placed at a greater distance from the Supreme Council of the kingdom, they must be intrusted with ampler liberty of regulating their conduct by their own wisdom. As they are more secluded from easy recourse to national judicature, they must be more extensively commissioned to pass judgment on each other.

FOR this reason our more important and opulent Colonies see the appearance and feel the effect of a regular Legislature, which in some places has acted so long with unquestioned authority, that it has forgotten whence that authority was originally derived.

To their Charters the Colonies owe, like other corporations, their political existence. The solemnities of legislation, the administration of justice, the security of property, are all bestowed upon them by the royal grant. Without their Charter there would be no power among them, by which any law could be made, or duties enjoined, any debt recovered, or criminal punished.

A CHARTER is a grant of certain powers or privileges given to a part of the community for the advantage of the whole, and is therefore liable by its nature to change or to revocation. Every act of Government aims at publick good. A Charter, which experience has shewn to be detrimental to the nation, is to be repealed; because general prosperity must always be preferred to particular interest. If a Charter be used to evil purposes, it is forfeited, as the weapon is taken away which is injuriously employed.

THE Charter therefore by which provincial governments are constituted, may be always legally, and where it is either inconvenient in its nature, or misapplied in its use, may be equitably repealed; by such repeal the whole fabrick of subordination is immediately destroyed, and the constitution sunk at once into a chaos: the society is dissolved into a tumult of individuals, without authority to command, or obligation to obey; without any punishment of wrongs but by personal resentment, or any protection of right but by the hand of the possessor.

A COLONY is to the Mother-country as a member to the body, deriving its action and its strength from the general principle of vitality; receiving from the body, and communicating to it, all the benefits and evils of health and disease; liable in dangerous maladies to sharp applications, of which the body however must partake the

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pain; and exposed, if incurably tainted, to amputation, by which the body likewise will be mutilated.

THE Mother-country always considers the Colonies thus connected, as parts of itself; the prosperity or unhappiness of either is the prosperity or unhappiness of both; not perhaps of both in the same degree, for the body may subsist, though less commodiously, without a limb, but the limb must perish if it be parted from the body.

OUR Colonies therefore, however distant, have been hitherto treated as constituent parts of the British Empire. The inhabitants incorporated by English Charters, are entitled to all the rights of Englishmen. They are governed by English laws, entitled to English dignities, regulated by English counsels, and protected by English arms; and it seems to follow by consequence

sequence not easily avoided, that they are subject to English government, and chargeable by English taxation.

To him that considers the nature, the original, the progress, and the constitution of the Colonies, who remembers that the first discoverers had commissions from the Crown, that the first settlers owe to a Charter their civil forms and regular magistracy, and that all personal immunities and legal securities, by which the condition of the subject has been from time to time improved, have been extended to the Colonists, it will not be doubted but the Parliament of England has a right to bind them by statutes, and *to bind them in all cases whatsoever*, and has therefore a natural and constitutional power of laying upon them any tax or impost, whether external or internal, upon the product of land, or the manufactures of industry, in the exigencies of war, or in the time

of profound peace, for the defence of America, *for the purpose of raising a revenue*, or for any other end beneficial to the Empire.

THERE are some, and those not inconsiderable for number, nor contemptible for knowledge, who except the power of taxation from the general dominion of Parliament, and hold, that whatever degrees of obedience may be exacted, or whatever authority may be exercised in other acts of Government, there is still reverence to be paid to money, and that legislation passes its limits when it violates the purse.

OF this exception, which by a head not fully impregnated with politicks is not easily comprehended, it is alleged as an unanswerable reason, that the Colonies send no representatives to the House of Commons.

It is, say the American advocates, the natural distinction of a freeman, and the legal privilege of an Englishman, that he is able to call his possessions his own, that he can sit secure in the enjoyment of inheritance or acquisition, that his house is fortified by the law, and that nothing can be taken from him but by his own consent. This consent is given for every man by his representative in parliament. The Americans unrepresented cannot consent to English taxations, as a corporation, and they will not consent as individuals.

OF this argument, it has been observed by more than one, that its force extends equally to all other laws, for a freeman is not to be exposed to punishment, or be called to any onerous service but by his own consent. The Congress has extracted a position from the fanciful *Montesquieu*, that *in a free state every man being a free agent ought to be concerned in his own government.*

vernment. Whatever is true of taxation is true of every other law, that he who is bound by it, without his consent, is not free, for he is not concerned in his own government.

HE that denies the English Parliament the right of taxation, denies it likewise the right of making any other laws civil or criminal, yet this power over the Colonies was never yet disputed by themselves. They have always admitted statutes for the punishment of offences, and for the redress or prevention of inconveniencies, and the reception of any law draws after it by a chain which cannot be broken, the unwelcome necessity of submitting to taxation.

THAT a free man is governed by himself, or by laws to which he has consented, is a position of mighty sound: but every man that utters it, with whatever confidence, and every man that hears it, with
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whatever acquiescence, if consent be supposed to imply the power of refusal, feels it to be false. We virtually and implicitly allow the institutions of any Government of which we enjoy the benefit, and solicit the protection. In wide extended dominions, though power has been diffused with the most even hand, yet a very small part of the people are either primarily or secondarily consulted in Legislation. The business of the Publick must be done by delegation. The choice of delegates is made by a select number, and those who are not electors stand idle and helpless spectators of the commonweal, *wholly unconcerned in the government of themselves.*

OF Electors the hap is but little better. They are often far from unanimity in their choice, and where the numbers approach to equality, almost half must be governed not only without, but against their choice.

How any man can have consented to institutions established in distant ages, it will be difficult to explain. In the most favourite residence of liberty, the consent of individuals is merely passive, a tacit admission in every community of the terms which that community grants and requires. As all are born the subjects of some state or other, we may be said to have been all born consenting to some system of Government. Other consent than this, the condition of civil life does not allow. It is the unmeaning clamour of the pedants of policy, the delirious dream of republican fanaticism.

BUT hear, ye sons and daughters of liberty, the sounds which the winds are wafting from the Western Continent. The Americans are telling one another, what, if we may judge from their noisy triumph, they have but lately discovered, and what yet is a very important truth: *That they*
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are entitled to Life, Liberty, and Property, and that they have never ceded to any sovereign power whatever a right to dispose of either without their consent.

WHILE this resolution stands alone, the Americans are free from singularity of opinion; their wit has not yet betrayed them to heresy. While they speak as the naked sons of Nature, they claim but what is claimed by other men, and have withheld nothing but what all withhold. They are here upon firm ground, behind entrenchments which never can be forced.

HUMANITY is very uniform. The Americans have this resemblance to Europeans, that they do not always know when they are well. They soon quit the fortrefs that could neither have been mined by sophistry, nor battered by declamation. Their next resolution declares, *that their ancestors, who first settled the*
Colo-

Colonies, were, at the time of their emigration from the Mother-country, entitled to all the rights, liberties, and immunities of free and natural-born subjects within the realm of England.

THIS likewise is true; but when this is granted, their boast of original rights is at an end; they are no longer in a State of Nature. These lords of themselves, these kings of *Me*, these demigods of independence, sink down to Colonists, governed by a Charter. If their ancestors were subjects, they acknowledged a Sovereign; if they had a right to English privileges, they were accountable to English laws, and what must grieve the Lover of Liberty to discover, had ceded to the King and Parliament, whether the right or not, at least the power of disposing, *without their consent, of their lives, liberties, and properties.* It therefore is required of them to prove, that the Parliament ever ceded to them a dispensation from that obedience, which they

owe as natural-born subjects, or any degree of independence or immunity not enjoyed by other Englishmen.

THEY say, That by such emigration they by no means forfeited, surrendered, or lost any of those rights; but that *they were, and their descendants now are, entitled to the exercise and enjoyment of all such of them as their local and other circumstances enable them to exercise and enjoy.*

THAT they who form a settlement by a lawful Charter having committed no crime forfeit no privileges, will be readily confessed; but what they do not forfeit by any judicial sentence, they may lose by natural effects. As man can be but in one place at once, he cannot have the advantages of multiplied residence. He that will enjoy the brightness of sunshine, must quit the coolness of the shade. He who goes voluntarily to America, cannot complain of losing what he leaves in Europe. He

perhaps had a right to vote for a knight or burges; by crossing the Atlantick he has not nullified his right; but he has made it exertion no longer possible*. By his own choice he has left a country where he had a vote and little property, for another, where he has great property, but no vote. But as this preference was deliberate and unconstrained, he is still *concerned in the government of himself*; he has reduced himself from a voter to one of the innumerable multitude that have no vote. He has truly *ceded his right*, but he still is governed by his own consent; because he has consented to throw his atom of interest into the general mass of the community. Of the consequences of his own act he has no cause to complain; he has chosen, or intended to chuse, the greater good; he is represented, as himself desired, in the general representation.

* Of this reasoning, I owe part to a conversation with Sir John Hawkins.

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BUT the privileges of an American scorn the limits of place; they are part of himself, and cannot be lost by departure from his country; they float in the air, or glide under the ocean.

DORIS amara suam non intermisceat undam.

A PLANTER, wherever he settles, is not only a freeman, but a legislator, *ubi imperator, ibi Roma*. As the English Colonists are not represented in the British Parliament, they are entitled to a free and exclusive power of legislation in their several legislatures, in all cases of Taxation and internal polity, subject only to the negative of the Sovereign, in such manner as has been heretofore used and accustomed. We cheerfully consent to the operation of such acts of the British Parliament as are bona fide restrained to the regulation of our external commerce—excluding every idea of Taxation, internal or external, for raising a revenue on the subjects of America without their consent.

THEIR reason for this claim is, *that the foundation of English Liberty, and of all Government, is a right in the People to participate in their Legislative Council.*

THEY inherit, they say, *from their ancestors, the right which their ancestors possessed, of enjoying all the privileges of Englishmen.* That they inherit the right of their ancestors is allowed; but they can inherit no more. Their ancestors left a country where the representatives of the people were elected by men particularly qualified, and where those who wanted qualifications, or who did not use them, were bound by the decisions of men, whom they had not deputed.

THE colonists are the descendants of men, who either had no vote in elections, or who voluntarily resigned them for something,

thing, in their opinion, of more estimation: they have therefore exactly what their ancestors left them, not a vote in making laws, or in constituting legislators, but the happiness of being protected by law, and the duty of obeying it.

WHAT their ancestors did not carry with them, neither they nor their descendants have since acquired. They have not, by abandoning their part in one legislature, obtained the power of constituting another, exclusive and independent, any more than the multitudes, who are now debarred from voting, have a right to erect a separate Parliament for themselves.

MEN are wrong for want of sense, but they are wrong by halves for want of spirit. Since the Americans have discovered that they can make a Parliament, whence comes it that they do not think

themselves equally empowered to make a King? If they are subjects, whose government is constituted by a Charter, they can form no body of independent legislature. If their rights are inherent and underived, they may by their own suffrages encircle with a diadem the brows of Mr. Cushing.

It is farther declared by the Congress of Philadelphia, *that his Majesty's Colonies are entitled to all the privileges and immunities granted and confirmed to them by Royal Charters, or secured to them by their several codes of provincial laws.*

THE first clause of this resolution is easily understood, and will be readily admitted. To all the privileges which a Charter can convey, they are by a Royal Charter evidently entitled. The second clause is of greater difficulty; for how can a provincial law secure privileges or immunities to a province?

province? Provincial laws may grant to certain individuals of the province the enjoyment of gainful, or an immunity from onerous offices; they may operate upon the people to whom they relate; but no province can confer provincial privileges on itself. They may have a right to all which the King has given them; but it is a conceit of the other hemisphere, that men have a right to all which they have given to themselves.

A CORPORATION is considered in law as an individual, and can no more extend its own immunities, than a man can by his own choice assume dignities or titles.

THE Legislature of a Colony, let not the comparison be too much disdained, is only the vestry of a larger parish, which may lay a cess on the inhabitants, and enforce the payment; but can extend no influence beyond its own district, must mo-

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lify its particular regulations by the general law, and whatever may be its internal expences, is still liable to Taxes laid by superior authority.

THE Charters given to different provinces are different, and no general right can be extracted from them. The Charter of Pennsylvania, where this Congress of anarchy has been impudently held, contains a clause admitting in exprefs terms Taxation by the Parliament. If in the other Charters no such reserve is made, it must have been omitted as not necessary, because it is implied in the nature of subordinate government. They who are subject to laws, are liable to Taxes. If any such immunity had been granted, it is still revocable by the Legislature, and ought to be revoked, as contrary to the publick good, which is in every Charter ultimately intended.

The first Congress at Philadelphia SUPPOSE
was the beginning of September 1774, but the
first Congress of the American Congress
was at the beginning of Oct 1765.

SUPPOSE it true, that any such exemption is contained in the Charter of Maryland, it can be pleaded only by the Marylanders. It is of no use for any other province, and with regard even to them, must have been considered as one of the grants in which the King has been deceived, and annulled as mischievous to the Publick, by sacrificing to one little settlement the general interest of the Empire; as infringing the system of dominion, and violating the compact of Government. But Dr. Tucker has shewn that even this Charter promises no exemption from Parliamentary Taxes.

IN the controversy agitated about the beginning of this century, whether the English laws could bind Ireland, Davenant, who defended against Molyneux the claims of England, considered it as necessary to prove nothing more, than that the present Irish must be deemed a Colony.

THE necessary connexion of representatives with Taxes, seems to have sunk deep into many of those minds, that admit sounds without their meaning.

OUR nation is represented in Parliament by an assembly as numerous as can well consist with order and dispatch, chosen by persons so differently qualified in different places, that the mode of choice seems to be, for the most part, formed by chance, and settled by custom. Of individuals far the greater part have no vote, and of the voters few have any personal knowledge of him to whom they intrust their liberty and fortune.

YET this representation has the whole effect expected or desired; that of spreading so wide the care of general interest, and the participation of publick counsels, that the advantage or corruption of particular men can seldom operate with much injury to the Publick.

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For this reason many populous and opulent towns neither enjoy nor desire particular representatives: they are included in the general scheme of publick administration, and cannot suffer but with the rest of the Empire.

It is urged that the Americans have not the same security, and that a British Legislator may wanton with their property; yet if it be true, that their wealth is our wealth, and that their ruin will be our ruin, the Parliament has the same interest in attending to them, as to any other part of the nation. The reason why we place any confidence in our representatives is, that they must share in the good or evil which their counsels shall produce. Their share is indeed commonly consequential and remote; but it is not often possible that any immediate advantage can be extended to such numbers as may prevail against it. We are therefore as secure
against

against intentional deprivations of Government as human wisdom can make us, and upon this security the Americans may venture to repose.

IT is said by the *Old Member* who has written an *Appeal* against the Tax, that *as the produce of American labour is spent in British manufactures, the balance of trade is greatly against them; whatever you take directly in Taxes, is in effect taken from your own commerce. If the minister seizes the money with which the American should pay his debts and come to market, the merchant cannot expect him as a customer, nor can the debts already contracted be paid.—Suppose we obtain from America a million, instead of one hundred thousand pounds, it would be supplying one personal exigence by the future ruin of our commerce.*

PART of this is true; but the *Old Member* seems not to perceive, that if his brethren of the Legislature know this as well

as himself, the Americans are in no danger of oppression, since by men commonly provident they must be so taxed, as that we may not lose one way what we gain another.

THE same *Old Member* has discovered, that the judges formerly thought it illegal to tax Ireland, and declares that no cases can be more alike than those of Ireland and America; yet the judges whom he quotes have mentioned a difference. Ireland, they say, *hath a Parliament of its own*. When any Colony has an independent Parliament acknowledged by the Parliament of Britain, the cases will differ less. Yet by the 6 Geo. I. chap. 5. the Acts of the British Parliament bind Ireland.

It is urged that when Wales, Durham, and Chester were divested of their particular privileges or ancient government, and reduced

reduced to the state of English counties, they had representatives assigned them.

To those from whom something had been taken, something in return might properly be given. To the Americans their Charters are left as they were, nor have they lost any thing except that of which their sedition has deprived them. If they were to be represented in Parliament, something would be granted, though nothing is withdrawn.

THE inhabitants of Chester, Durham, and Wales, were invited to exchange their peculiar institutions for the power of voting, which they wanted before. The Americans have voluntarily resigned the power of voting, to live in distant and separate governments, and what they have voluntarily quitted, they have no right to claim.

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It must always be remembered that they are represented by the same virtual representation as the greater part of Englishmen; and that if by change of place they have less share in the Legislature than is proportionate to their opulence, they by their removal gained that opulence, and had originally and have now their choice of a vote at home, or riches at a distance.

We are told, what appears to the *Old Member* and to others a position that must drive us into inextricable absurdity, that we have either no right, or the sole right of taxing the Colonies. The meaning is, that if we can tax them, they cannot tax themselves; and that if they can tax themselves, we cannot tax them. We answer with very little hesitation, that for the general use of the Empire we have the sole right of taxing them. If they have contributed any thing in their own assemblies, what they contributed was not
 paid,

paid, but given ; it was not a tax or tribute, but a present. Yet they have the natural and legal power of levying money on themselves for provincial purposes, of providing for their own expence, at their own discretion. Let not this be thought new or strange ; it is the state of every parish in the kingdom.

THE friends of the Americans are of different opinions. Some think that being unrepresented they ought to tax themselves, and others that they ought to have representatives in the British Parliament.

If they are to tax themselves, what power is to remain in the supreme Legislature ? That they must settle their own mode of levying their money is supposed. May the British Parliament tell them how much they shall contribute ? If the sum may be prescribed, they will return few thanks for the power of raising it ; if they are

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at liberty to grant or to deny, they are no longer subjects.

If they are to be represented, what number of these western orators are to be admitted? This I suppose the parliament must settle; yet if men have a natural and unalienable right to be represented, who shall determine the number of their delegates? Let us however suppose them to send twenty-three, half as many as the kingdom of Scotland, what will this representation avail them? To pay taxes will be still a grievance. The love of money will not be lessened, nor the power of getting it increased.

WHETHER will this necessity of representation drive us? Is every petty settlement to be out of the reach of government; till it has sent a senator to Parliament; or may two of them or a greater number be forced to unite in a single deputation? What at last is the differ-

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ence,

ence between him that is taxed by compulsion without representation, and him that is represented by compulsion in order to be taxed?

FOR many reigns the House of Commons was in a state of fluctuation: new burgesses were added from time to time, without any reason now to be discovered; but the number has been fixed for more than a century and a half, and the king's power of increasing it has been questioned. It will hardly be thought fit to new-model the constitution in favour of the planters, who, as they grow rich, may buy estates in England, and without any innovation, effectually represent their native colonies.

THE friends of the Americans indeed ask for them what they do not ask for themselves. This inestimable right of representation they have never solicited.

They

They mean not to exchange solid money for such airy honour. They say, and say willingly, that they cannot conveniently be represented; because their inference is, that they cannot be taxed. They are too remote to share the general government, and therefore claim the privilege of governing themselves.

OF the principles contained in the resolutions of the Congress, however wild, indefinite, and obscure, such has been the influence upon American understanding, that from New-England to South-Carolina there is formed a general combination of all the Provinces against their Mother-country. The madness of independence has spread from Colony to Colony, till order is lost and government despised, and all is filled with misrule, uproar, violence, and confusion. To be quiet is disaffection, to be loyal is treason.

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Assembly at the first Congress at Philadelphia in September 1774.

THE Congress of Philadelphia, an assembly convened by its own authority, has promulgated a declaration, in compliance with which the communication between Britain and the greatest part of North America is now suspended. They ceased to admit the importation of English goods in December 1774, and determine to permit the exportation of their own no longer than to November, 1775.

THIS might seem enough, but they have done more. They have declared, that they shall treat all as enemies who do not concur with them in disaffection and perverseness, and that they will trade with none that shall trade with Britain.

THEY threaten to stigmatize in their Gazette those who shall consume the products or merchandise of their Mother-country, and are now searching suspected houses for prohibited goods.

THESE

THESE hostile declarations they profess themselves ready to maintain by force. They have armed the militia of their provinces, and seized the publick stores of ammunition. They are therefore no longer subjects, since they refuse the laws of their Sovereign, and in defence of that refusal are making open preparations for war.

BEING now in their own opinion free states, they are not only raising armies, but forming alliances, not only hastening to rebel themselves, but seducing their neighbours to rebellion. They have published an address to the inhabitants of Quebec, in which discontent and resistance are openly incited, and with very respectful mention of *the sagacity of Frenchmen*, invite them to send deputies to the Congress of Philadelphia, to that seat of Virtue and Veracity, whence the people of England are told, that to establish popery, *a religion fraught with sanguinary and impious tenets*, even in Quebec, a country

of which the inhabitants are papists, is so contrary to the constitution that it cannot be lawfully done by the legislature itself; where it is made one of the articles of their association, to deprive the conquered French of their religious establishment; and whence the French of Quebec are, at the same time, flattered into sedition, by professions of expecting *from the liberality of sentiment, distinguishing their nation, that difference of religion will not prejudice them against a hearty amity, because the transcendent nature of freedom elevates all who unite in the cause above such low-minded infirmities.*

QUEBEC, however, is at a great distance. They have aimed a stroke from which they may hope for greater and more speedy mischief. They have tried to infect the people of England with the contagion of disloyalty. Their credit is happily not such as gives them influence proportionate

proportionate to their malice. When they talk of their pretended immunities *guarantied by the plighted faith of Government, and the most solemn compacts with English Sovereigns*, we think ourselves at liberty to inquire when the faith was plighted and the compact made; and when we can only find that King James and King Charles the First promised the settlers in Massachusets Bay, now famous by the appellation of Bostonians, exemption from taxes for seven years, we infer with Mr. Mauduit, that by this *solemn compact*, they were, after expiration of the stipulated term, liable to taxation.

WHEN they apply to our compassion, by telling us, that they are to be carried from their own country to be tried for certain offences, we are not so ready to pity them, as to advise them not to offend. While they are innocent they are safe.

WHEN they tell of laws made expressly for their punishment, we answer, that tumults and sedition were always punishable, and that the new law prescribes only the mode of execution.

WHEN it is said that the whole town of Boston is distressed for a misdemeanour of a few, we wonder at their shamefulness; for we know that the town of Boston, and all the associated provinces, are now in rebellion to defend or justify the criminals.

If frauds in the imposts of Boston are tried by commission without a jury, they are tried here in the same mode; and why should the Bostonians expect from us more tenderness for them than for ourselves?

If they are condemned unheard, it is because there is no need of a trial. The crime is manifest and notorious. All trial

is the investigation of something doubtful. An Italian philosopher observes, that no man desires to hear what he has already seen.

IF their assemblies have been suddenly dissolved, what was the reason? Their deliberations were indecent, and their intentions seditious. The power of dissolution is granted and reserved for such times of turbulence. Their best friends have been lately soliciting the King to dissolve his Parliament, to do what they so loudly complain of suffering.

THAT the same vengeance involves the innocent and guilty is an evil to be lamented, but human caution cannot prevent it, nor human power always redress it. To bring misery on those who have not deserved it, is part of the aggregated guilt of rebellion.

THAT

THAT governours have been sometimes given them only that a great man might get ease from importunity, and that they have had judges not always of the deepest learning, or the purest integrity, we have no great reason to doubt, because such misfortunes happen to ourselves. Whoever is governed will sometimes be governed ill, even when he is most *concerned in his own government.*

THAT improper officers or magistrates are sent, is the crime or folly of those that sent them. When incapacity is discovered, it ought to be removed; if corruption is detected, it ought to be punished. No government could subsist for a day, if single errors could justify defection.

ONE of their complaints is not such as can claim much commiseration from the softest bosom. They tell us, that we have changed our conduct, and that a tax is
 now

now laid by Parliament on those which were never taxed by Parliament before. To this we think it may be easily answered, that the longer they have been spared, the better they can pay,

It is certainly not much their interest to represent innovation as criminal or invidious; for they have introduced into the history of mankind a new mode of disaffection, and have given, I believe, the first example of a proscription published by a Colony against the Mother-country.

To what is urged of new powers granted to the Courts of Admiralty, or the extension of authority conferred on the judges, it may be answered in a few words, that they have themselves made such regulations necessary; that they are established for the prevention of greater evils; at the same time, it must be observed,

served, that these powers have not been extended since the rebellion in America.

ONE mode of persuasion their ingenuity has suggested, which it may perhaps be less easy to resist. That we may not look with indifference on the American contest, or imagine that the struggle is for a claim, which, however decided, is of small importance and remote consequence, the Philadelphian Congress has taken care to inform us, that they are resisting the demands of Parliament, as well for our sakes as their own.

THEIR keenness of perspicacity has enabled them to pursue consequences to a great distance; to see through clouds impervious to the dimness of European sight; and to find, I know not how, that when they are taxed, we shall be enslaved.

THAT slavery is a miserable state we have been often told, and doubtless many a Briton

Britain will tremble to find it so near as in America; but how it will be brought hither, the Congress must inform us. The question might distress a common understanding; but the statesmen of the other hemisphere can easily resolve it. Our ministers, they say, are our enemies, and *if they should carry the point of taxation, may with the same army enslave us. It may be said, we will not pay them; but remember, say the western sages, the taxes from America, and we may add the men, and particularly the Roman Catholics of this vast continent will then be in the power of your enemies. Nor have you any reason to expect, that after making slaves of us, many of us will refuse to assist in reducing you to the same abject state.*

THESE are dreadful menaces; but suspecting that they have not much the sound of probability, the Congress proceeds: *Do not treat this as chimerical. Know that in less than half a century the quit-rents reserved*

reserved to the crown from the numberless grants of this vast continent will pour large streams of wealth into the royal coffers. If to this be added the power of taxing America at pleasure, the crown will possess more treasure than may be necessary to purchase the remains of liberty in your island.

ALL this is very dreadful; but amidst the terror that shakes my frame, I cannot forbear to wish that some sluice were opened for these streams of treasure. I should gladly see America return half of what England has expended in her defence; and of the stream that will *flow so largely in less than half a century*. I hope a small rill at least may be found to quench the thirst of the present generation, which seems to think itself in more danger of wanting money than of losing liberty.

It is difficult to judge with what intention such airy bursts of malevolence
are

are vented: if such writers hope to deceive, let us rather repel them with scorn, than refute them by disputation.

IN this last terrifick paragraph are two positions that, if our fears do not overpower our reflection, may enable us to support life a little longer. We are told by these croakers of calamity, not only that our present ministers design to enslave us, but that the same malignity of purpose is to descend through all their successors, and that the wealth to be poured into England by the Pactolus of America will, whenever it comes, be employed to purchase *the remains of liberty*.

OF those who now conduct the national affairs we may, without much arrogance, presume to know more than themselves, and of those who shall succeed them, whether minister or king, not to know less.

THE other position is, that the *Crown*, if this laudable opposition should not be successful, *will have the power of taxing America at pleasure*. Surely they think rather too meanly of our apprehensions, when they suppose us not to know what they well know themselves, that they are taxed, like all other British subjects, by Parliament; and that the Crown has not by the new imposts, whether right or wrong, obtained any additional power over their possessions.

It were a curious, but an idle speculation to inquire, what effect these dictators of sedition expect from the dispersion of their letter among us. If they believe their own complaints of hardship, and really dread the danger which they describe, they will naturally hope to communicate the same perceptions to their fellow-subjects. But probably in America, as in other places, the chiefs are incendiaries, that

hope to rob in the tumults of a conflagration, and toss brands among a rabble passively combustible. Those who wrote the Address, though they have shown no great extent or profundity of mind, are yet probably wiser than to believe it : but they have been taught by some master of mischief, how to put in motion the engine of political electricity ; to attract by the sounds of Liberty and Property, to repel by those of Popery and Slavery ; and to give the great stroke by the name of Boston.

WHEN subordinate communities oppose the decrees of the general legislature with defiance thus audacious, and malignity thus acrimonious, nothing remains but to conquer or to yield ; to allow their claim of independence, or to reduce them by force to submission and allegiance.

It might be hoped, that no Englishman could be found, whom the menaces

of our own Colonists, just rescued from the French, would not move to indignation, like that of the Scythians, who, returning from war, found themselves excluded from their own houses by their slaves.

THAT corporations constituted by favour, and existing by sufferance, should dare to prohibit commerce with their native country, and threaten individuals by infamy, and societies with at least suspension of amity, for daring to be more obedient to government than themselves, is a degree of insolence, which not only deserves to be punished, but of which the punishment is loudly demanded by the order of life, and the peace of nations.

YET there have risen up, in the face of the publick; men who, by whatever corruptions or whatever infatuation, have undertaken to defend the Americans, endeavour

deavour to shelter them from resentment, and propose reconciliation without submission.

As political diseases are naturally contagious, let it be supposed for a moment that Cornwall, seized with the Philadelphian frenzy, may resolve to separate itself from the general system of the English constitution, and judge of its own rights in its own parliament. A Congress might then meet at Truro, and address the other counties in a style not unlike the language of the American patriots.

“ Friends and Fellow-subjects,

“ WE the delegates of the several towns and parishes of Cornwall, assembled to deliberate upon our own state and that of our constituents, having, after serious debate and calm consideration, settled the scheme of our future conduct, hold it ne-

cessary to declare the resolutions which we think ourselves entitled to form by the unalienable rights of reasonable Beings, and into which we have been compelled by grievances and oppressions, long endured by us in patient silence, not because we did not feel, or could not remove them, but because we were unwilling to give disturbance to a settled government, and hoped that others would in time find like ourselves their true interest and their original powers, and all co-operate to universal happiness.

“BUT since having long indulged the pleasing expectation, we find general discontent not likely to increase, or not likely to end in general defection, we resolve to erect alone the standard of liberty.

“*Know then*, that you are no longer to consider Cornwall as an English county, visited by English judges, receiving law
from

from an English Parliament, or included in any general taxation of the kingdom; but as a state distinct, and independent, governed by its own institutions, administered by its own magistrates, and exempt from any tax or tribute but such as we shall impose upon ourselves.

“WE are the acknowledged descendants of the earliest inhabitants of Britain; of men, who before the time of history took possession of the island desolate and waste, and therefore open to the first occupants. Of this descent, our language is a sufficient proof, which, not quite a century ago, was different from yours.

“SUCH are the Cornishmen; but who are you? who but the unauthorised and lawless children of intruders, invaders, and oppressors? who but the transmitters of wrong, the inheritors of robbery? In claiming independence we claim but little. We might require you to depart from a

land which you possess by usurpation, and to restore all that you have taken from us.

“INDEPENDENCE is the gift of Nature. No man is born the master of another. Every Cornishman is a freeman, for we have never resigned the rights of humanity; and he only can be thought free, who is not governed but by his own consent.

“You may urge that the present system of government has descended through many ages, and that we have a larger part in the representation of the kingdom, than any other county.

“ALL this is true, but it is neither cogent nor persuasive. We look to the original of things. Our union with the English counties was either compelled by force, or settled by compact.

“THAT

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“THAT which was made by violence, may by violence be broken. If we were treated as a conquered people, our rights might be obscured, but could never be extinguished. The sword can give nothing but power, which a sharper sword can take away.

“IF our union was by compact, whom could the compact bind but those that concurred in the stipulations? We gave our ancestors no commission to settle the terms of future existence. They might be cowards that were frightened, or block-heads that were cheated; but whatever they were, they could contract only for themselves. What they could establish, we can annul.

“AGAINST our present form of government it shall stand in the place of all argument, that we do not like it. While we are governed as we do not like, where

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is our liberty? We do not like taxes, we will therefore not be taxed, we do not like your laws, and will not obey them.

“THE taxes laid by our representatives are laid, you tell us, by our own consent: but we will no longer consent to be represented. Our number of legislators was originally a burden, and ought to have been refused: it is now considered as a disproportionate advantage; who then will complain we resign it?

“WE shall form a Senate of our own, under a President whom the King shall nominate, but whose authority we will limit, by adjusting his salary to his merit. We will not withhold a proper share of contribution to the necessary expence of lawful government, but we will decide for ourselves what share is proper, what expence

expenditure is necessary, and what government is lawful.

“TILL our counsel is proclaimed independent and unaccountable, we will, after the tenth day of September, keep our Tin in our own hands: you can be supplied from no other place, and must therefore comply or be poisoned with the copper of your own kitchens.

“IF any Cornishman shall refuse his name to this just and laudable association, he shall be tumbled from St. Michael’s Mount, or buried alive in a tin-mine; and if any emissary shall be found seducing Cornishmen to their former state, he shall be smeared with tar, and rolled in feathers, and chased with dogs out of our dominions.

“ From the Cornish Congress at Truro.”

OF this memorial what could be said but that it was written in jest, or written

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by a madman? Yet I know not whether the warmest admirers of Pennsylvanian eloquence can find any argument in the Addresses of the Congress, that is not with greater strength urged by the Cornishman.

THE argument of the irregular troops of controversy, stripped of its colours, and turned out naked to the view, is no more than this. Liberty is the birthright of man, and where obedience is compelled, there is no Liberty. The answer is equally simple. Government is necessary to man, and where obedience is not compelled, there is no government.

If the subject refuses to obey, it is the duty of authority to use compulsion. Society cannot subsist but by the power, first of making laws, and then of enforcing them.

To one of the threats hissed out by the Congress, I have put nothing similar into
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the Cornish proclamation; because it is too wild for folly and too foolish for madness. If we do not withhold our King and his Parliament from taxing them, they will cross the Atlantick and enslave us.

How they will come they have not told us; perhaps they will take wing, and light upon our coasts. When the cranes thus begin to flutter, it is time for pygmies to keep their eyes about them. The Great Orator observes, that they will be very fit, after they have been taxed, to impose chains upon us. If they are so fit as their friend describes them, and so willing as they describe themselves, let us increase our army, and double our militia.

It has been of late a very general practice to talk of slavery among those who are setting at defiance every power that keeps the world in order. If the learned
author

author of the *Reflections on Learning* has rightly observed, that no man ever could give law to language, it will be vain to prohibit the use of the word *slavery*; but I could wish it more discreetly uttered; it is driven at one time too hard into our ears by the loud hurricane of Pennsylvanian eloquence, and at another glides too cold into our hearts by the soft conveyance of a female patriot bewailing the miseries of her *friends and fellow-citizens*.

SUCH has been the progress of sedition, that those who a few years ago disputed only our right of laying taxes, now question the validity of every act of legislation. They consider themselves as emancipated from obedience, and as being no longer the subjects of the British Crown. They leave us no choice but of yielding or conquering, of resigning our dominion, or maintaining it by force.

FROM force many endeavours have been used, either to dissuade, or to deter us. Sometimes the merit of the Americans is exalted, and sometimes their sufferings are aggravated. We are told of their contributions to the last war, a war incited by their outcries, and continued for their protection, a war by which none but themselves were gainers. All that they can boast is, that they did something for themselves, and did not wholly stand inactive, while the sons of Britain were fighting in their cause.

IF we cannot admire, we are called to pity them; to pity those that shew no regard to their mother-country; have obeyed no law which they could violate; have imparted no good which they could withhold; have entered into associations of fraud to rob their creditors; and into combinations to distress all who depended on their commerce. We are reproached with the cruelty of shutting one port, where
every

every port is shut against us. We are censured as tyrannical for hindering those from fishing, who have condemned our merchants to bankruptcy and our manufacturers to hunger.

OTHERS persuade us to give them more liberty, to take off restraints, and relax authority; and tell us what happy consequences will arise from forbearance: How their affections will be conciliated, and into what diffusions of beneficence their gratitude will luxuriate. They will love their friends. They will reverence their protectors. They will throw themselves into our arms, and lay their property at our feet. They will buy from no other what we can sell them; they will sell to no other what we wish to buy.

THAT any obligations should overpower their attention to profit, we have known them long enough not to expect. It is not to be expected from a more liberal people.

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With what kindness they repay benefits, they are now shewing us, who, as soon as we have delivered them from France, are defying and proscribing us.

BUT if we will permit them to tax themselves, they will give us more than we require. If we proclaim them independent, they will during pleasure pay us a subsidy. The contest is not now for money, but for power. The question is not how much we shall collect, but by what authority the collection shall be made.

THOSE who find that the Americans cannot be shewn in any form that may raise love or pity, dress them in habiliments of terrour, and try to make us think them formidable. The Bostonians can call into the field ninety thousand men. While we conquer all before us, new enemies will rise up behind, and our work will be always to begin. If we take possession

of the towns, the Colonists will retire into the inland regions, and the gain of victory will be only empty houses and a wide extent of waste and desolation. If we subdue them for the present, they will universally revolt in the next war, and resign us without pity to subjection and destruction.

To all this it may be answered, that between losing America and resigning it, there is no great difference; that it is not very reasonable to jump into the sea, because the ship is leaky. All those evils may befall us, but we need not hasten them.

THE Dean of Gloucester has proposed, and seems to propose it seriously, that we should at once release our claims, declare them masters of themselves, and whistle them down the wind. His opinion is, that our gain from them will be the same, and our expence less. What they can have

most cheaply from Britain, they will still buy, what they can sell to us at the highest price they will still sell.

It is, however, a little hard, that having so lately fought and conquered for their safety, we should govern them no longer. By letting them loose before the war, how many millions might have been saved. One wild proposal is best answered by another. Let us restore to the French what we have taken from them. We shall see our Colonists at our feet, when they have an enemy so near them. Let us give the Indians arms, and teach them discipline, and encourage them now and then to plunder a Plantation. Security and leisure are the parents of sedition.

WHILE these different opinions are agitated, it seems to be determined by the Legislature, that force shall be tried. Men
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of the pen have seldom any great skill in conquering kingdoms, but they have strong inclination to give advice. I cannot forbear to wish, that this commotion may end without bloodshed, and that the rebels may be subdued by terrour rather than by violence; and therefore recommend such a force as may take away, not only the power, but the hope of resistance, and by conquering without a battle, save many from the sword.

If their obstinacy continues without actual hostilities, it may perhaps be mollified by turning out the soldiers to free quarters, forbidding any personal cruelty or hurt. It has been proposed, that the slaves should be set free, an act which surely the lovers of liberty cannot but commend. If they are furnished with fire-arms for defence, and utensils for husbandry, and settled in some simple form of government within the country, they may

be more grateful and honest than their masters.

FAR be it from any Englishman to thirst for the blood of his fellow-subjects. Those who most deserve our resentment are unhappily at less distance. The Americans, when the Stamp Act was first proposed, undoubtedly disliked it, as every nation dislikes an impost; but they had no thought of resisting it, till they were encouraged and incited by European intelligence from men whom they thought their friends, but who were friends only to themselves. ON the original contrivers of mischief let an insulted nation pour out its vengeance. With whatever design they have inflamed this pernicious contest, they are themselves equally detestable: If they wish success to the Colonies, they are traitors to this country, if they wish their defeat, they are traitors at once to America and England. To them and them only

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must be imputed the interruption of commerce, and the miseries of war, the sorrow of those that shall be ruined, and the blood of those that shall fall.

SINCE the Americans have made it necessary to subdue them, may they be subdued with the least injury possible to their persons and their possessions. When they are reduced to obedience, may that obedience be secured by stricter laws and stronger obligations.

NOTHING can be more noxious to society, than that erroneous clemency, which, when a rebellion is suppressed, exacts no forfeiture and establishes no securities, but leaves the rebels in their former state. Who would not try the experiment which promises advantage without expence? If rebels once obtain a victory, their wishes are accomplished; if they are defeated, they suffer little, perhaps less than their conquerors; however often they play the game,

game, the chance is always in their favour. In the mean time, they are growing rich by victualing the troops that we have sent against them, and perhaps gain more by the residence of the army than they lose by the obstruction of their port,

THEIR charters being now, I suppose, legally forfeited, may be modelled as shall appear most commodious to the Mother-country. Thus the privileges, which are found by experience liable to misuse, will be taken away, and those who now bellow as patriots, bluster as soldiers, and domineer as legislators, will sink into sober merchants and silent planters, peaceably diligent, and securely rich.

BUT there is one writer, and perhaps many who do not write, to whom the contraction of these pernicious privileges appears very dangerous, and who startle at the thoughts of *England free and America*

in chains. Children fly from their own shadow, and rhetoricians are frightened by their own voices. *Chains* is undoubtedly a dreadful word; but perhaps the masters of civil wisdom may discover some gradations between chains and anarchy. Chains need not be put upon those who will be restrained without them. This contest may end in the softer phrase of English Superiority and American Obedience.

WE are told, that the subjection of Americans may tend to the diminution of our own liberties: an event, which none but very perspicacious politicians are able to foresee. If slavery be thus fatally contagious, how is it that we hear the loudest yelps for liberty among the drivers of negroes?

BUT let us interrupt a while this dream of conquest, settlement, and supremacy. Let us remember that being to contend,

according

according to one orator, with three millions of Whigs, and according to another, with ninety thousand patriots of Massachusetts Bay, we may possibly be checked in our career of reduction. We may be reduced to peace upon equal terms, or driven from the western continent, and forbidden to violate a second time the happy borders of the land of liberty. The time is now perhaps at hand, which Sir Thomas Brown predicted between jest and earnest,

*When America shall no more send out her treasure,
But spend it at home in American pleasure.*

IF we are allowed upon our defeat to stipulate conditions, I hope the treaty of Boston will permit us to import into the confederated Cantons such products as they do not raise, and such manufactures as they do not make, and cannot buy cheaper from other nations, paying like others the appointed customs; that if an English ship

salutes

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salutes a fort with four guns, it shall be answered at least with two; and that if an Englishman be inclined to hold a plantation, he shall only take an oath of allegiance to the reigning powers, and be suffered, while he lives inoffensively, to retain his own opinion of English rights, unmolested in his conscience by an oath of abjuration.

T H E E N D.

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